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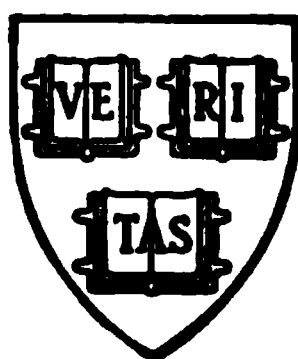
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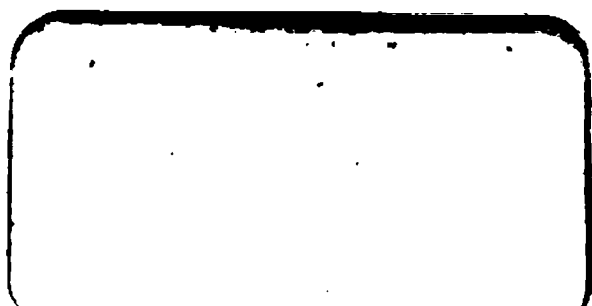
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AMERICAN QUARTERLY REVIEW.

No. XXXVII.

MARCH, 1836.

ART. I.—*Specimens of the Table Talk of the late SAMUEL TAYLOR COLERIDGE.* New York: 1835.

Coleridge is one instance among the many remarkable and melancholy examples of a man of genius throwing away his opportunities. With the finest faculties—we believe them to have been of the first order, though this is denied by those who do not appreciate or respect the kind of mind he possessed, yet certainly with power and capacity to achieve far more than he has done, the question recoils upon us—what has he effected? What record is before the world, commensurate with the acknowledged greatness of his talents, a long life, and favourable circumstances? It is at all times a dangerous question to ask, whether time and talents have been well employed, even as to those with very inferior endowments to Coleridge; for there is but little doubt, most men can perform more than is really done; but, when it is demanded as to those of extraordinary powers, and no reference can be made to memorials of their efforts, but the response is returned only as an echo, there is something painful, something mortifying, something that speaks the nothingness of the human intellect, in the silent rebuke of time thus misspent. And how many are there, with the best abilities, who make life a dream? Who, with no stimulus from necessity, or with an unawakened ambition, or, if roused, making but feeble effort, are subdued by the love of ease, and drop into the idle calm of indolence? But the friends of Coleridge may, and with much truth, declare that his life was not thrown away; that his labours were constant, and not

inefficient; and that, if he has not attained to all the reputation he should have, the reason may be found rather in the character of the age, and its declining taste for works of such depth. And it is true, whether this be the real cause or not, that his writings are not familiarly known, and do not possess the celebrity which can make them generally useful, and entitle the author to all the respect and admiration he deserves from the world. We fear, that among those called literary, and which now form an immense body, his works are little read. The all-pervading, and all-consuming taste for light reading, has done much towards quenching the spirit of philosophy, and deterring those the most strongly possessing it from venturing an opposition to the prevailing inclination. Though no sticklers for the constant predominance of any particular talent, we still think it unfortunate, that that which is the most likely to be generally useful, should not possess the widest dominion. But, for several years, imagination has usurped an authority, and ruled with so easy a power, as to clearly display it to be the most in harmony with the feelings, and the best liked by the mass of men. By the side of war, anarchy, and revolution, it has secured its place, and kept pace with the march of armies, and downfall of states; sharing the elation of the victor, and triumphing in the desolation and despair of the conquered. As poets are generally claimed as liberals, and from the analogy of the same talent, we presume, too, their prose brethren, imagination, though in itself a despot, must have a strong disposition to produce republicanism. Without intending to be jocular, the serious meaning we wish to impress, is, that no prevailing taste among men should be neglected, scorned, or derided. We may, as opposed to the bias of our own inclination, regret that so much genius has been bestowed—we are tempted to say, wasted—on an inferior order in literature. Lest this remark should produce dispute or reproach, we will shelter ourselves beneath the opinion of Scott himself, who, as the first and greatest agitator in that department, has a right to be considered a judge of its value. It may be asked, would you wish, then, that the mind which creates so much pleasure and amusement—which, in its line, achieves greatness, and is perhaps only capable of great effort in that—should be dormant and idle? And this demand meets the point we were approaching—that all intellectual activity, its bold, free, untrammelled exertion, is a splendid sight, and of noble promise for the future. Whatever may be the character of its attempts, if they do not tend to the moral ruin of men, they are to be cherished and admired—for it is the enlargement of the province of intellect, it offers new realms for thought, and in the general diffusion gives new energy, and a deeper power, to all which can

ennoble man. Feeling this to be true, we wish success to genius, whatever direction it may take. And there never was a period, in which the mental excitement of the world was so great, or when authors were so sure of an audience; no age can compare with this, in the quantity of its literature, or in the number of readers. Kindred spirits now meet and commune, and every thought and feeling is sure of a response throughout the space over which civilisation has extended—and how proud must be the writer, who, with this consciousness, settles to his labour, knowing, that, as his mind glows, its warmth is diffused through a thousand others; that in distant countries he has formed friendships liable to none of the change a personal acquaintance with its rivalry, or the base passions that sometimes embitter it, may produce, but which are based on a sympathy with his sentiments, a respect for his opinions, or some cause, free and disinterested, but awakened by the thrilling energy of the intellectual vibration. But, with this increased power of awakening interest, comes, too, a fearful responsibility. Equally with the ease with which fame may be gathered, and the soul expand itself, may mischief spread. On the two principles of evil and good, repose the destinies of man; but much more, now than heretofore, since the power of exerting both is multiplied.

With this view, it is clear with what anxious consideration a publication should be given to the world; and, however encouraging may be the prospects, however well founded or ardent the hopes of the future fortunes of mankind from the strength with which the best intellects exert themselves, and the ease with which they gain access to the bosoms of all, yet from this very condition come the most fearful doubts. Experience, and it is the only wisdom worth much at any time, shows that neither truth nor virtue is the object of the constant and continued pursuit of men; that the morbid craving of a bad ambition will often recklessly attempt the complete subversion of every principle of good; that the desire of power, and the pride of its exertion, will make men regardless of ruin; and that in proportion as the well-disposed rouse themselves to the defence of that they honour, the spirit of defiance increases in their antagonists. This open collision is better than secret war; and it is a conflict in which politics and philosophy, literature and religion, should engage; each with the design of never unsettling without replacing, but with the yet safer and more lasting purpose of fixing principles.

This was the great aim of Coleridge's life. Living removed from the sphere of active exertion, and the scenes of real life, altogether undisturbed by the tempestuous excitement of the passions storming near him, with no interests at stake save

those belonging to the general welfare of his country, he devoted himself to that best usefulness of the patriot—the moral instruction and culture of his fellow citizens. He was the Plato of his time; but, with less worldly shrewdness than the old philosophers seemed to have found necessary to smooth the path of their opinions. He could not descend to be a popular writer, nor display common thoughts in the charm and glare of uncommon language; or become superficial, for the purpose of pleasing; or bring from the mines of deep thought, all its ore ready polished for use. The world have, of course, the right to distinguish those who make themselves the most agreeable; who, like courtiers, have an elegant manner and a judicious tact for the wily execution of their designs; but they have, at the same time, no right to condemn, as they often do, those who, with less plausibility, but more uprightness, with less judgment, but more honesty, exert their whole power in the cause of human improvement. Would that this remark was a calumny, and that the boasted attainments, and universally diffused knowledge of men, might break its force. Would that these were real existences, instead of subjects of fond expectation, and interested panegyric. The world has, for a long time, been holding a strong conflict between experience and hope. The wisest men have uttered their predictions and warnings, and found them return, in the hollow mocking of contempt; the best spirits have thrown themselves into the breach, in defence of systems to which they were attached, and found all their efforts withered by some superior power. Events have gone their course, overcoming all restraint, trampling down all impediment. Their rapid and powerful progress has amazed all; those most sanguine for the future have looked on with a feeling of confusion mingled with pleasure; the most desponding have only gathered still more despair, and dread, and doubt; those who were fixed in their admiration and affection for the present state of things, though awed by the quick succession of wonder-teeming events, perplexed by the uncertainty of their direction, and harrowed by the danger that seemed to impend, have, according to their character, either surrendered the struggle, or been confirmed in the ardour of their opposition, and increased their efforts.

Such was the state of the world's moral health—and whoever undertook to make it better, must have felt the obstacles he was to contend with, and the hazard of failure. And it was at a time during the strongest ferment of the most agitated era the world has known, that Coleridge edited the *Morning Post*. No situation could have been more badly chosen, no mind worse calculated for its duties, than his. With thoughts little practised in realities, and ever indistinct to others, if not

to himself, mystified and confused by brooding over obscure philosophical speculations, it could hardly be supposed that he would produce any effect, or be even remotely felt, amid the heat and violence of political excitement. England was at war with herself; for the only time in her annals, except partially during the reign of James the Second, she was contending with the most dangerous and powerful external foe she ever had; and at the same time, with faction, intrigue, and a revolutionary spirit within her bosom. If this should be denied, and the opposition to government be attributed to patriotic and liberal views, there was still enough admiration of France and her ruler, and their destructive principles, and a sufficiently open expression of this feeling among its leaders, to authorise that most fearful condition of things, where it extends over a country, and invades, as a part of necessary policy, the quiet obscurity of private life—the gloomy tyranny of suspicion. Even Coleridge, who began life like many young men, possessing the ardour of the poetical temperament, with a very fiery zeal for liberty, in the abstract, had attracted the notice of the government. He had retired to a distant part of the coast of England, impoverished by the bad fortune of his literary prospects, and broken by disappointment; yet he was hunted to this retreat, and a spy placed over him by the jealousy of those in power.

As illustrative of the times, and of the modest and even depreciating opinion a man of the best powers may form of himself, we will extract his own account from that most remarkable self-revelation, his *Biographia Literaria*.

“Conscientiously an opponent of the first revolutionary war, yet with my eyes thoroughly opened to the true character and importance of the favourers of revolutionary principles in England—principles which I held in abhorrence; (for it was part of my political creed, that whoever ceased to act as an *individual* by making himself a member of any *society* not sanctioned by his government, forfeited the rights of a citizen,) a vehement anti-ministerialist, but after the invasion of Switzerland a more vehement anti-gallican, and still more intensely an anti-jacobin, I retired to a cottage at Stowey, and provided for my scanty maintenance by writing verses for a London morning paper. I saw plainly, that literature was not a profession by which I could expect to live; for I could not disguise from myself, that whatever my talents might or might not be, in other respects, yet they were not of the sort that could enable me to become a popular writer: and that whatever my opinions might be in themselves, they were almost equi-distant from all the three prominent parties, the Pittites, Foxites, and the democrats.”

Yet at this time, suffering all the crushing influence of despair and despondency, from the apparent ruin of his prospects in the profession that from natural inclination he had chosen, as the most likely to gratify his ambition, and devoting himself, in his retreat, to “poetry, and the study of ethics, and psychology,”

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the government sent a spy to watch his motions, as a dangerous plotter against the tranquillity of the realm. "Yet neither my retirement nor my utter abstraction from all the disputes of the day could secure me, in those jealous times, from suspicion and obloquy." But the spy was fortunately a goodnatured person, and not sufficiently of the atrabilious temperament to suspect, without cause, or to blacken the conduct of his unsuspecting victim, or to traduce, to please his employer, one whose habits and pursuits were obviously too simple and studious to be those of an intriguer and traitor.

"After three weeks of truly Indian perseverance in tracking us, during all which time seldom were we out of doors, but he contrived to be within hearing—he declared his belief that both my friend and myself were as good subjects, for aught he could discover to the contrary, as any in his majesty's dominion. He had repeatedly hid himself for hours together behind a bank at the sea-side, and overheard our conversation. At first he fancied that we were aware of our danger: for he often heard me talk of one spy Nozy, which he was inclined to interpret of himself and of a remarkable feature belonging to him; but he was speedily convinced that it was the name of a man who made a book and lived long ago."

His talking to the people of the village was regarded as exciting to discontent,—though, as the landlord of the village inn replied to the magistrate, "If what I have heard be true, your honour! they would not have understood a word he said." And his walking with his books and papers was supposed to be with the design of taking charts and maps.

It was at this period of hopelessness and perplexity, that the generous and munificent patronage of two English gentlemen enabled him to finish his education in Germany, and to fix his already too strong inclination for philosophical speculation, by a residence among a people who seem ever roving through the labyrinth of metaphysics, and tracking their subtlety, till they are lost in the shadow of their own thoughts. He says of himself, "At a very premature age, even before my fifteenth year, I had bewildered myself in metaphysics and theological controversy;"—and in his instance circumstances seemed to confirm his disposition, "the child was father of the man" far more than is permitted to those who are compelled to make the world a scene of active struggle and contention. It was this peculiar bent of mind that unfitted Coleridge for all pursuits leading to or necessary for worldly advancement. There are not many instances of philosophers possessing what is called a business talent, that is, a tact for active exertion in the practical affairs of life. Bacon seems almost the only instance of a great mind so far acted on by ambition and necessity as to subdue the speculative disposition; and, it was with him, in the after part of life, a source of regret, that he had deserted the more

spacious and noble field, as well as more congenial, of philosophy, for the bitter excitement, the heated contention, of the courts of law. But to all minds the least disposed to observation and philosophic speculation, there is an interest and a novelty in every scene of life. Whatever regards man in general, his feelings, pursuits, passions, must be to such, and should be to all, a matter of study and thought.

To this faculty of keen remark we may owe the secret source of Shakspeare's power. He probably never refused an acquaintance or avoided a scene where were to be viewed the workings of strong feelings. He felt, that in the volcanic turbulence of the bosom, human nature might not be able to withstand the violence it has not been habitually taught to restrain, nor escape the ruin that ensues from its eruption: and feeling this, he could excuse and show a forbearance to the universally pervading weakness of man, where he saw the agent was impulse, and not a cool, fiendish determination to gratify self. He looked on men as so many spiritual existences,—as emanations from some superior power,—as deriving all they have of good or evil from him who created them,—and for some mysterious end; not as mere incarnations, animated by a principle that dies with the dust in which they are embodied. With this love and admiration for human nature, which all must have who wish to know man, he could look on the exhibition of the most degrading depravity,—on all that was wild and fierce in the display of man's energy,—on all that was base, corrupt, and humiliating, in their character, with no sense of anger, disgust, or contempt; but with a compassionate sorrow, that pain we feel in viewing the perversion of faculties designed for other ends and higher destinies. The wider and more intense the affections, the less disposed to judge harshly. A knowledge of mankind makes us lenient; for we can feel within ourselves the struggle between passion and principle, the desire always to be that which it is very easy to seem. It was this acquaintance with the best and worst parts of man's nature, with all the extremes to which his passions could bear him, and all their terrible results, that gave him the power of portraying with such vividness the gentle and winning grace of female character, the subtle delicacy and refinement of female feelings, the generous intemperance of youth, the gloomy malignity and cowardly ferocity of the deliberate murderer, the impetuosity of over-wrought passion, and all the host of ill-regulated desires that spring in undisciplined bosoms. It was this knowledge that made him the practical philosopher, and relieved him from the dreamy abstraction that loses itself in the enjoyment of empty speculation.

This habit of receiving all the world offers, as a philosopher,

and not as an idle spectator,—of making every thing around us a matter of reflection, is the source of the reproducing energies of the mind. It is in this way the novelist and dramatist, by watching the display of passion and the movements of feeling, replace in their creations the various characters that come before them; and mould a fiction into the reality of a living being:—and thus, too, by attempting to discover the causes of conduct, we lay open the secret history of every bosom. But there are modes of association peculiar to the individual that require great penetration to detect. There are irregular impulses that seem without cause,—certain violent but transient influences, that agitate while they last, and act as if directed by some foreign power; and education, even if it does not alter the original structure of our minds, subdues or tempers, by the habitual control of its discipline; and then there are too dormant traits of character that circumstances have not developed to ourselves. The mere man of the world, who mingles with a society governed altogether by conventional rules, forms but a superficial idea of human nature in general, and knows but little of the secret workings and concealed impulses of those with whom he is apparently intimate; it is but the surface over which he moves, while beneath it lie all the heated elements of character. From this ignorance, or rather confined view of man, arises the surprise that is expressed at the unexpected conduct of some one, who, to all appearance, was a submissive bondsman to the arbitrary regulations of those among whom he lived, and thence the imputation of eccentricity and madness.

In thus attempting to generalise some of the sources of peculiarity to be found among men, we are enabled to gain a probable clue to the intellectual elements of Coleridge. There is ever a feeling of awe, in trying to analyse the structure of any mind, and a sense of imposing mystery in striving to disclose the shadowy and fleeting sources of thought. But when it is one of great powers, we seem to be viewing the interior of some vast edifice, made venerable by age, and hallowed by the dim and distant associations of the past; there we see acquired knowledge, the spoils of all time, brightened by the constant use, the daily polish of the individual's faculties, and the frequent impulses of sense, bringing from without, like the bird to its nest, the food that is to animate a new existence. Even if the soul, or whatever the power may be, which, as impalpable as air, gives life to intellect, that other unsubstantial element of man, should be but the inheritance from some former being, and all it gathers be but the renewal of former knowledge, still there is a daily accumulation that circumstances make fresh, and to appear, when reproduced in some

other form, as if the birth of a new principle. It seems not improbable, since there is nothing new under the sun, that all thought is but a renewal of that which has existed in other minds, and which now exists, though unawakened, in minds that possess none of what Coleridge calls a reflex consciousness. We are certainly not aware of any mental experience: all thought appears new to us, and as if born from the vitality of our own minds, until we compare it with that of others, and then it seems but a record of the past,—an instrument to be filed away for the use of succeeding generations; so that every new creation of the mind, like the human body, may be but a reproduction from the same elements cast in a new form. This is no disparaging view of human nature: though it may depreciate our admiration for an individual, yet certainly not for the general powers and results of the mind. It is thus we can associate all time by an intellectual chain, and the greatest intellect of antiquity becomes represented by some modern of equal power. In this view, the existence of a great mind is given to the world to continue out the chain of pre-existing thought, to raise the intellectual character of man above the level to which base pursuits depress him; to new open the reservoirs where all has become stagnant, and widen the realm of intellect. But if we can establish and estimate its use, there is still an imposing mystery in the creation and in all its modes of action, that raises our wonder. We regard it as an emblem of superior power,—as a sacred gift,—as the sole possession that reveals the elevation of our nature,—and, in its contemplation, when we throw by the lessening influence of familiarity, we feel subdued, as when our view is thrown towards the expanse of heaven, and our thoughts try to fathom its furthest abyss, and to find a use for, and the creating power which upholds, the spheres that rest upon its bosom. If the faculties are of a high order, and have been powerfully exerted, the attempt to measure them and assign to each its true extent and power, is a task of great difficulty. We enter boldly the wide and dark expanse of metaphysics, and choose, from its various obscure definitions, some guide that may lead to the interior of the structure we are examining. But such guide is of very doubtful truth.

It confuses us like the morning memory of a dream. There is no reality in its assertions, no intelligibility in its explanations; but we are amazed, and for the moment overwhelmed as when we enter one of England's great cathedrals; when our emotions kindle at its sublimity, and we are overawed and confused, but cannot account for the effect. The glare of day suddenly sinks to the subdued light of evening; the sun's rays, struggling through the painted windows, create the quiet light

of the horizon, and the variously coloured glass throws a thousand different hues over every object; and the sweeping aisles, down whose length we look as if towards eternity, with the shrouded space between the columns, and the great height of the roof, that rises over us like the canopy of heaven, and the silence, save when our voices echo from the walls, form that deep and dark solemnity which, with the divine character of the place, makes all sublime. At the first view of a great mind, there is an analogous effect. We know of the existence of great powers, because we have felt them; we know that there is a sublime creation near us, though we cannot analyse, explain, or even perceive with distinctness, the parts and their relations; we have been elevated as its energies awakened the slumbering sensibility of our souls; we feel, therefore, that it possesses a genial influence, and a power to enter the depths of the bosom. But it is in vain we ask how this is brought about. It cannot be by the exertion of a single faculty, but it must be by the combined exertion of all—and all in their highest degree. The burnished light of fancy plays over our feelings, the gorgeous glow of imagination spreads its vast splendour, and the wide grasp of thought roaming the universe, choosing its materials, and concentrating all it gathers to one great end, hold us in amazement at the nature and dominion of the human intellect. All these various powers exist in the greatest minds; each one aids the other, and the due exercise of each represses the predominance of any one, and forms the clear, well regulated capacity.

By the term greatest mind, we mean one like Milton's; where there was an equal balance of each faculty, and no irregular action with any, and with whom, under whatever circumstances, each was under control, and submissive to the mastery of his will. We will not say that Milton possessed a greater mind than Shakspeare, as there is something wonderful, and even more than wonderful, in the writings of the last. His versatility, his constant, acute, and ever-ready observation, with his tact of becoming intimate with all the workings of the heart, and throwing himself into the souls of men, till he became a part of their very being, are all unrivaled, and admit of no comparison or controversy. But his power was rude, while with the other, all was refined; there was often vulgarity, while the other does not appear to have known the meaning of the word; there was great beauty, which with the other was combined with elegance; and there is something gross, that strongly contrasts with the matchless purity, the perfect brilliance, the pellucid and delicate refinement of a flow of thought, that seems to have opened from a mass of crystal. But these differences were rather the result of education than nature; for,

even if Shakspeare is relieved from the charge of ignorance, he of course can in no way compare with Milton in learning. And here, perhaps, we may strike the secret source of the power of the two, and at the same time, though with some allowance, of Coleridge.

We are inclined to think, though we make the assertion with hesitation, that there is a kind of activity of mind, which does not seem to admit, though it may not altogether preclude, the acquiring of great erudition. We are aware of the alteration circumstances may make in the destiny of all minds, but even with this obstacle placed strongly before us, there appears to be a limit, if nature has fixed no impassable barrier, to the mental action of individuals. This is probably the class Bacon calls bird-witted, where the mind seizes quickly, but has no power to retain, or to acquire more. The intellect stops short, like a stone thrown upon the earth, and most happily appears contented with its acquisition. There is a degree of intelligence beyond this, which includes what are commonly called clever men; who are incapable of any thing very distinguished, but secure some reputation, and considerable rank with the world. This kind, acted on by the common ambition of common minds, seek worldly dignity, and consume life upon the things that die. Beyond this, is a class who, with various degrees of genius, and unequal power, seem to roam through and rule the whole realm of thought. Their title to the first rank is undisputed; and after death their station is still undenied, their dominion still undivided. These with propriety may be called the class of philosophers, including among them poets and statesmen. All great genius is philosophical—so that the term philosopher, is never used correctly when confined to men of a particular talent, and employed on certain pursuits. It extends beyond the naturalist or the moralist, beyond him whose thoughts are fixed on the study of the material world, or in analysing human feeling. It takes in those who strive to know the causes of things—who feel within themselves a resistless energy, ever directed towards the farthest reach the mind of man can go—towards the limit of all intelligence—to the fountain-head whence all flows, where all ends. But they are not merely speculative; for we believe there is no instance of a great mind, that was not practical, or rather the results of whose contemplations could not be brought into use, and made to subserve the interests of mankind.

The speculative mind, is not that idle, dreamy intellect, which inferior spirits, who cannot extend beyond the circle of personal interest, would make it; but it is the strong *pioneer*, exerting itself in regions others suppose impassable; clearing difficulties, and establishing principles beyond the space where

the mass of men repose in ignorance. It is an intellect restless and dissatisfied with its condition; yet, in its dissatisfaction, feels powerless from its own debility, and paralysed by the supremacy of some superior power. As Newton, in the beautiful and modest simplicity of his great mind, expresses it, after all his discoveries, which surpass, or nearly so, every other effort of intellect, "that he was but a child, picking up pebbles beside the great ocean of truth."

It should be remembered, by all ordinary and superficial minds, that they have no idea what contemplation is. They cannot conceive the pains of reflection, which are far deeper and more wasting than those of the passions; or imagine the vast space thought may traverse, when directed and urged by the ceaseless curiosity of a comprehensive capacity. It has the universe for its home, the world for its sphere of action. It has no limit, save the law of its creation. Like the ocean, it can draw and retain within itself every object that it meets. There is no fastidiousness, which recoils at the approach of that which is not to its taste, but all knowledge is its province, and the vast compass of its energies includes the power and extent of all science. But, like the mass of waters, it feels that there is a bound to its force—that, though unrestrained in its sphere, yet there is a control forbidding farther effort, and that its struggles become powerless before it, and seem made as if the mind were in chains. It is this incarceration of the spirit which the feeble cannot feel, but which with the strong forms the soul's most fearful contest; and a contest the more bitter, since it is fought in despair. After a victory over all within its reach, it is obliged to submit to confinement; and having sighed for more worlds to subdue, the mind wages war with itself. It desires perfection, and can only attain the imperfect; it elevates its views to the lofty and concealed realms, where rests the power which crushes it—where causes commence their action, and where the first impulse is given to the phenomena which attract and surprise—to the dark mysteries which awe and confuse—but it is compelled to retire, defeated and intimidated.

But in this struggle, where it feels and bows to its own weakness, it throws down the obstacles to the career of future minds, and succeeding intellects select and enrich themselves with the spoils of their predecessors; and find, like those who cultivate a field where some battle has left the bodies of thousands to manure the soil, that the wasted hours, the labours which once seemed as fragile and unworthy of remembrance as dreams, have become undying records; and from seeming ruin rise the harvest and the success of future effort. But in all great minds, there is a prophetic spirit; their sagacity looks

through the future, as if it were the passing hour. They observe the contradiction between things as they are, and things as they should be; and though they have no power to turn the current of circumstances, that flows with all the vehemence prejudice and passion can produce, yet they foresee and foretell the change with as much accuracy as if the life of all future events were before them, and as if they were already actors in the scene which is yet to come. Their influence is that of mind—the silent, but deep and lasting effect which reflection produces on all who are capable of appreciating the object it has toiled for. They make no sudden inroads, and create no violent revolutions, but improve man's social and moral condition by the gentler path of thought. Their sole sceptre is that of character—the high moral energy of virtue. Men are made to feel that their interests are in the care of their safest and only true benefactors, and the result of their exertions is seen in the slow, but constant progress of civilisation, which is both the proof and the consequence of intellectual improvement.

Their rule is not the barren one of mere station. There are no marshaled train of followers, no armies, no wealth, none of the common modes of clouding the perceptions of mankind by an imposing array of power, and none of the false dignity which men honour and fear in their hearts, but which continues not beyond the grave of its possessor, and holds its last day of state in his shroud. Their desire is to elevate man—to make him feel the dignity of his nature, and not to be elated by, or in any way to honour the accidental importance that is derived from fortune, and not from the individual. If they err, it is in the commission of the generous error—and which none but the noblest and most liberal feelings could dictate—of rating too high the human capacity, and fixing in too lofty a sphere the destinies of our race. The mistake, if it be one, is derived from themselves; in their own bosoms there is the consciousness of superiority to those about them, and if this were the only feeling, it would lead to a degrading opinion of all belonging to man; but there is at the same time a sense of inferiority, in finding that the energy of will, and that of intellect, are not equal—that our wishes and our attainments bear no proportion—that the term of life is too short for effecting great things, and too precarious to do more, or even to expect to do more, than make the commencement, which others are to follow out, and which is all we leave behind us—a bare and unfinished impression, that others are to correct, value, and remould.

The sole energy that these great characters wield, is that of truth; and its simple majesty at last triumphs. Its modest appeals, which had been received theretofore with a haughty

rejection, now become commands ; and the same form, that like a suppliant, stood trembling before the dominion of pride and prejudice, now dilates itself into grandeur. The small cloud that occupied no space in the vast circle of men's thoughts, now quickens to a tempest ; and instead of being borne down by hostility, of conceding to feelings, of bowing to the prescriptive regulations of custom, and becoming but an integral portion of the past, it assumes a dignity, prepares for the contest, and is for ever fixed among and attached to all the events of all future time. It is a striking and beautiful view, thus to see the growth of truth ; to see its quiet, gradual, often obstructed, but majestic development, from the point where, like an infant, it has no right, till it bears an authority of its own, and rears, it may be from ruins, the battlements of human institutions ; till it has placed on the eternal basis of its own worth the principles which are hereafter to direct and govern the conduct of men. The sole wish of this class of the highly intellectual, is, as we have said, to elevate human nature. They feel, within themselves, a capacity for perfection,—a deep and unceasing admiration for that ideal and abstract beauty that exists in all the pursuits of mind ; and which, shadowy and distant as may be its attainment, or, to the dull-edged apprehension of the mass, doubtful as may appear its existence, is with the higher order of intellect, the stimulus to effort, the source of all that is great and powerful and beautiful. It is the idol of all affection,—a being that the imagination has endowed with grace and loveliness, and breathed over it the life that has come warm with the rapture of our own souls. It evades expression, eludes being fixed, by the strongest grasp of our intelligence ; but an unseen and yet pervading mystery, a vision, a mere dream, yet one to which memory clings, and though born in the idle and vacant hours of night, one that haunts us ; that, like the eye of a portrait, beams with a life and lustre all the spirituality of the original ; to which we can affix the shape, the real body, the majesty and grace of perfect beauty, though they are wrought by the glowing power of the imagination, and have no other basis than the fading colours of the canvass. It comes from the past, through all the glory we attach to the men of antiquity,—lives within us as the fountain of inspiration, a part of the same existence which has floated through the minds of myriads, and which, still unexhausted, freshens the energies of all it animates. We can imagine some of the great spirits who have trod, in an earthly form, this orb, and illuminated it with an intelligence that belonged to a higher sphere, after their labours were over, and time and their destiny had met, looking back on the past almost as if it were a waste : their intellectual creation, which, at the time, was wrought with the severest

toil, and that gathered about them the halo of glory, in all its lustre, which brought the admiration and intoxicating praise of the world, the humble respect of friends, the envy and animosity of enemies, seems to them but a rapid sketch, thrown off as a pastime, rather than the full force of a mind, that all acknowledged to be impelled by a mighty genius. In the superiority of their present power, in the newly acquired compass of their minds, their career seems an idle hour, their life a distant spot in the vast ocean of the past, and to have gone by like a dream,—all unsubstantial and devoid of action. Of course, it can only be the greatest intellects who leave the world with this feeling of inferiority. It is they alone who ever aspire beyond the measure of their intelligence, who are ever following, with eager and daring impetuosity, the wide grasp of their conceptions. But we can conceive Shakspeare, who has left less of himself than the usual vanity of men of genius generally dictates, folding his hands with despair, over the works that men now regard as wrought by inspiration:—we can fancy him, weighing the full value of life, and asking himself whether he had acted up to the real spirit and meaning of existence,—whether he had performed all that the consciousness of possessing a great mind, should have directed,—whether his influence had found its way to the hearts of his contemporaries, and given them the inclination towards the useful and the good,—whether future generations should record him, as one to whose voice they listened, to whose instruction they bowed, who had become the impelling principle of their conduct, and interwoven his own feelings and excellence with the flow of their thoughts, and the current of their being.

We can bring before us Dante, on his death-bed, sighing over broken hopes, and the unfulfilled desires ambition led him to entertain, taking a gloomy view of all parts of his life, save the portion where a generous disposition urged him, in the cause of freedom, to enter the warring factions of his country, and battle on the side of that he deemed the right. But he holds in his hand his *Commedia*, and laughs at his own invention. The torments of his *Inferno*, the coming punishments of his *Purgatorio*, the pleasures of his *Paradise*, though wrought with all the power and sublimity genius can bring, are then to him only emblems of idleness, of time misspent, of opportunity neglected. Though the rest of mankind are held in amazement at the wonderful creations of his imagination; though they sigh over the syren song of Francesca, in her wo, and listen until they almost seem realities, to the shrieks and curses of Ugolino in his agony, yet a voice within, that becomes stronger as time closes over us, upbraids him, and declares his career to have been useless and void, save the portion where

he engaged in the active duties of life, and made man the object of his thoughts,—where he warred for the rights and interests of his country, and put aside the selfish ambition of present or future renown.

And Tasso, the mild and melancholy Tasso, with the scar of thought upon his brow, and whose brain, in its workings, had fed upon itself till his days became engulfed in the vortex of derangement, perhaps he did not look with contempt upon the results of his labour. The struggle with him, even to bear existence, had been too constant and agonising; his misery had been too acute and too crushing to allow of his marring his last hours, which may be considered only as an interval of returning reason, with utter despair. Hope had been, through life, his sole star of joy—and to fancy it withered, at the moment when it is most wanted, and when it is all that is left, would be imagining a scene of too great horror. Yet it may have been so; and he who had done nothing but contend with that bitterest of enemies, the agony of one's own bosom, and the fierce hostility of rivalry and envy from without, did, as he was dying, look back upon the past, and trace but his footstep's empty tread, no mark, not even a shadow of his existence, for the future to know. Tasso's life differs from most of the other great poets'. He seems to have busied himself very little in the things about him, either from the morbidness of his nature, or a refined fastidiousness that shrank from the approach or contact of common things. All was poetical, feeling, and sensitive; a character that envenomed the barbed points that penetrated his soul, and gave a double triumph to the malice of his foes; and his history, from his woes, madness, imprisonment, forms one of the most interesting chapters in the book of human life.

We can conceive Milton the happiest, at the last, of all who pursue this shadow of ideal perfection. It is a singular fact in his history, that he was able to control the vivacity and ardour that belong to the poet's temperament, and forego the intoxicating pleasure that poetry seems to create, for the barren and uncongenial struggles of political strife. But there is an intense innate zeal in the poet's character that imparts itself to all he undertakes, and there is a love of and necessity for excitement, and a facility of being excited, that impels him to share and become a part of all that is acted near him. He is like the harp that every breath of air makes vibrate; and it is this sensitiveness, this facility of receiving impressions, that is perhaps the source of greatness in him, by the constant vigilance with which the mind is kept active, and the deep feeling with which he imbibes every thing till it becomes a portion of his nature: but it is, at the same time, his source of misfortune and ruin, in making him give way easily to the current, on which he

finds a pleasure in being borne, till he is thrown aside, the victim of circumstance. But with Milton the attainment of poetic fame seems to have been secondary to that of great learning and universal knowledge. We therefore find him casting aside the beautiful illustrations of fancy, the glowing splendour of imagination, and the radiant panoply of thought, which his young mind wore, for the coarser simplicity of dry utility, the duller, but more difficult glory of erudition. All his life, from his juvenile poems to his last immortal labour, where he made himself the cotemporary of all future time, seems to us a waste. And yet it is but a proof how little we are able to judge of the workings of a great mind, or determine what will be the results of its internal efforts. Before we can say how unfortunate that Milton ever entered the political arena of his country, we must decide whether it was not an improvement to his intellectual energy; and whether the knowledge he displays of the fiercest of human passions, and the tortures of a proud and guilty soul, was not gathered from observing the scenes and the men about him.

Yet unlike the other great men we have named, he could point to other records than those in which he followed the vanity—but the beautiful, the intensely beautiful vision—of ideal perfection. There was not with him the deep scorn we supposed to exist with the rest of his own exertions; though he might regret the train of circumstances which drove him from literature, or rather the department of poetry and history, yet he could look back with some pride and gratification at the view of no part of his life being thrown away. He had encouraged no dreams of power or false hope, but kept before him the one great object which he felt conscious he was able to secure, and which he had set out in life with the determination to obtain—immortality of fame. He had been useful, and though the outline of thought that he had sketched in the early part of his career, before he knew the difficulties with which a student must contend, was not altogether filled, yet enough had been done to show the spirit with which he wrought, and that all his powers had been exerted to influence men's minds, and impress their vigour on the times.

We have thus attempted to express our admiration of the philosophic mind as it exists among the higher order of intelligences, and we have hazarded the opinion that the only true greatness is to be found in that class of intellect. We also think, that so far from being speculative, in the invidious sense with which the word is generally used, we regard it as the most practical, and the most useful, if utility be measured and valued according to the elevation of our nature, the only true

standard of the importance of any event or circumstance, and not by the baser and more limited usefulness of the improvement of our personal interests, or facilitating the business of life, and making success in its common things more easily achieved. Where then shall we place Coleridge? Among those who have enlarged the sphere of thought, who have given a finer tact to human feeling, and fitted men for their duties by imparting a greater moral energy? or shall we degrade him to the rank of those who have effected nothing—attempted nothing—but suffered their powers to moulder in indolent disuse? In due justice to his merits, we can place him in neither class. We respect his qualities as a man, and admire those of his mind—but we do not rank him high as a philosopher. We honour him as a man of genius, and as a virtuous man; as one who sacrificed himself, so far as worldly reward goes, to give to men the principles he thought for their advantage now and for ever, but we are not sure that he was gifted with the capacity to attain all the proud glory that we attach to that name. In saying this, we are aware that we directly oppose the opinions of others. We therefore hazard the assertion with diffidence—but still, having formed the decision after some study of his works, and some reflection on his mind, we must express it. Our verdict is not given in a spirit of depreciation or contemptuous disregard for the estimation with which many value him, nor to detract from his real worth—but merely and simply because the calm conclusion of our judgment is against him. Our remarks can extend no farther than to assign to him his just rank, for we do not wish to lower him—but on the contrary, from our admiration, which is great, if not overweening, we would elevate him as far as that feeling, balanced and corrected by conscience, will allow.

We would wish to see his works universally read—as from none can be gathered more purity of thought, more refinement of feeling, a more delicate or nobler moral tone; though at the same time we feel they are not for the many, and that the large portion of those whom curiosity, or even a better motive, might induce to their perusal, would throw them by as unintelligible, denounce them as absurd, or, if of a modest or generous nature, look with pity and despair on themselves or the author. But all should remember, that it would be great weakness to pass a hasty condemnation on the labours of such a man. The difficulty in discovering a meaning, may be in themselves; for great minds do not often pass off in vapour. They generally labour with strength and fidelity, and are not apt to allow the chain of thought to become disunited, or their subject to disappear in the obscure rambling of remote association, and fade like a dream. They grasp firmly, and pursue

ardently, and wish not, by conceding to difficulty, to bring on themselves the deep rebuke of incapacity.

We will here quote Coleridge's remarks on understanding the sense of an author.

"In the perusal of philosophical works, I have been greatly benefited by a resolve which, in the antithetic form, and with the allowed quaintness of an adage or maxim, I have been accustomed to word thus:— 'Until you understand a writer's ignorance, presume yourself ignorant of his understanding.'"

This maxim he applies to the *Timæus* of Plato.

—"Whatever I comprehend, impresses me with a reverential sense of the author's genius; but there is a considerable portion of the work to which I can attach no consistent meaning."

"Therefore, utterly baffled in all my attempts to understand the ignorance of Plato, I concluded myself ignorant of his understanding."

Such modesty, on the part of such a man, should moderate the rash decisions of his inferiors. The charges brought against his writings, are obscurity and vagueness; but we see little of either, as some link can always be found, by those sufficiently interested in the topics he discusses to give their attention, even though it be exacting and painful. No one but a madman can talk or write, unless his mind moves in a current of regular and coherent thought; but even this may not make him easily understood—the subjects may not be *genial*; the associations, which with all men are peculiar, may be indistinct, and the leading idea may at last seem lost in the multitude of its suggestions and analogies, till each thought, instead of being bound by clear, though attenuated fibres, seems like the stars, to be held in their places by no common bond or law, but to roll through space unchecked and unguided. This appears to have been the case with Coleridge, and the editor in the preface to the *Table Talk*, gives an account of the effect on himself of some of the far-off wanderings of his relative's mind.

"So I can well remember occasions in which, after listening to Mr. Coleridge for several delightful hours, I have gone away with divers splendid masses of reasoning in my head, the separate beauty and coherency of which, I deeply felt; but how they had produced, or how they bore upon each other, I could not then perceive. In such cases, I have mused sometimes even for days afterwards upon the words, until at length, spontaneously as it seemed, 'the fire would kindle,' and the association, which had escaped my utmost efforts of comprehension before, flashed itself all at once upon my mind with the clearness of noon-day light."

Of course, one with whom a mode of thinking so peculiar as these passages would indicate, had become habitual, was unfitted for popularity. The mass of people would not take the trouble to toil through long processes of reasoning to discover a meaning; and this difficulty, if there were no others, would

confine him to the few congenial spirits who were students of similar subjects, and apt at following their relations. This serious obstacle to his reputation arose, if we do not mistake, among other deteriorating influences, from the very greatness itself of his mind. It should be remembered, that he was remarkable as a poet as well as philosopher; and if we do not very much err, would have been more distinguished as the first than the last. He possessed the finest elements for the formation of the poetic character, and such as will ever be successful, where circumstances do not deter or drive the current of thought and feeling in a different direction. His fancy was active, free, and brilliant; his imagination powerful and splendid. Yet it was this very combination of noble faculties, a small portion of which, with a shrewder and more calculating, and less artless spirit, would, as it does daily, have brought the highest distinction, that lessened with Coleridge his excellence as a poet, and his value as a philosopher. With that great gift, the imaginative faculty, his thoughts were ever floating on a sea of gold; and his mind, moving mid its magnificence, and dazzled by its lustre, became too glowing and excited to stay its progress among dry details, or droop its wings of fire over the dark chasms of mere reason.

He saw too much and too far. With his great erudition new suggestions were ever rising; and, with the roll of his mind, new views, delicate differences, and obscure analogies thronged the way, till thought became distracted, mid the variety and vastness, and formidable array of obstacles. It is probable that he kept in his hand the clue to the labyrinthine movements of his ideas, though to others all was seemingly dark, confused and chaotic. Whatever may have been the pleasure to himself, of looking on the beauty of a subject, of seeing all its relations, of marking the infinite extent into which it seemed to expand as his mind contemplated it, and his imagination imbued it with its splendour, and then, after all these elements were disposed and arranged, of viewing it as a whole, he imparts but little to those who cannot keep pace with him, and hold on the same course with equal power and rapidity. For this reason all his labours seem but fragments, portions of a vast rock, that a giant has broken off, but without a trace of any connection,—there are all the evidences of great strength suddenly exerted, but none of regular or continued effort. He followed or seems to have followed, and it may have been consistently, some one principle or set of principles, on which he had based the importance of his works; their future value and bearing on the moral and intellectual condition of men. But he made an unfortunate mistake in not eradicating his early love for mys-

tical theology,—the learning of the schools, and their dark and harsh obscurity, which was enough to dull the edge and weigh like lead on the life and vivacity of any mind. This bias was an early and fatal affection; the one that withered his usefulness, by confining the interest men felt in his productions, and which he afterwards, with an almost unaccountable wilful perversity, increased by plunging in the poisonous flood of metaphysics. He was conscious, as we have shown in a former extract, of this bar to his popularity; and why not at once have torn away the disposition before it became an immedicable disease, and followed the star of glory that rose before him in the form of poetry, and which beamed upon him in all the attractive splendour of present reputation, and the lustre of immortality? This, at last, will be all or nearly all the record left of him; for we are not sure, that ten years will not bring oblivion over his name as a philosopher. The editor of the *Table Talk* predicts for him a proud destiny.

“Nevertheless, desultory as his labours, fragmentary as his productions, at present, may seem to the cursory observer, my undoubting belief is, that in the end it will be found that Coleridge did, in his vocation, the day’s work of a giant. He has been melted into the very heart of the rising literatures of England and America; and the principles he has taught are the master light of the moral and intellectual being of men, who, if they shall fail to save, will assuredly illustrate and condemn the age in which they live. As it is, they bide their time.”

We believe the first paragraph to be true, but doubt, though with every wish that we may be mistaken, the extent of the influence, and its lasting character, implied in the second. But we will extract from his “*Biographia*” his appreciation of his own labours. The chapter whence we take it, is a denial of the assertions of those who have charged him with idleness: and the manner is so gentle, and the indignation so melancholy and subdued, that we cannot help feeling he was unjustly accused.

“Would that the criterion of a scholar’s utility were the number and moral value of the truths which he has been the means of throwing into the general circulation; or the number and value of the minds whom, by his conversation or letters, he has excited into activity, and supplied with the germs of their after growth! A distinguished rank might not, indeed, even then, be awarded to my exertions; but I should dare look forward with confidence to an honourable acquittal.”

There are some lines among his poetry that give his own idea of his powers, and the reason why they have never yielded the full harvest of their promise: perhaps there is too much self depreciation about them, and too lofty a self praise; and if these are both true, his estimate may be the real one, and instead of vanity or conceit dictating the verdict, it may be but justice to himself and the result of an accurate self-knowledge.

They are from "Lines on a friend who died of a frenzy fever, induced by calumnious reports."

"As oft, at twilight gloom, thy grave I pass,
And sit me down upon its recent grass,
With introverted eye, I contemplate
Similitude of soul, perhaps of—fate;
To me hath Heaven, with bounteous hand assigned
Energic reason, and a shaping mind,
The daring ken of truth, the patriot's part,
And pity's sigh, that breathes the gentle heart,
Sloth jaundiced all! and from my graspless hand
Drop friendship's precious pearls, like hour-glass sand."

And in the Table Talk, we have another opinion of himself that gives us a perfect idea of the man.

"Hamlet's character is the prevalence of the abstracting and generalizing habit over the practical. He does not want courage, skill, will, or opportunity; but every incident sets him thinking: and it is curious, and at the same time, strictly natural, that Hamlet, who all the play seems reason itself, should be impelled, at last, by mere accident, to effect his object. I have a smack of Hamlet myself, if I may say so."

This sets Coleridge before us like a mirror, and with this hint, we think that we could pursue him almost to the very depths of the inward man. We perceive sensibility, active and excitable, an eager and impassioned curiosity, an acute reason, a capacious understanding, a strong judgment, but which, from its depth, did not decide readily, and accompanied its conclusions with a doubt: all the elements of a great mind, but with one defect, a practical disposition. Thus he was ever philosophising, moralising, and sentimentalising, but wandering without a direct or immediate purpose, and thence comes the vagueness and mysticism with which he is charged. It should be remembered, that the being mystical, though no proof of greatness, is common, and we presume must be called a common failing, with great minds. There are conceptions which cannot be expressed by words, though they appear strongly, clearly, and vividly to the individual, yet when it is attempted to clothe them with language, they pass off, as the elements that form the strongest bodies, when let loose, mingle with the thinnest vapour of the air. It should be remembered too, that the horizon which limits the vision of the humbler spirits is not the same which bounds the view of the more powerful. The sphere of the one is of the earth, the other, in its quest of truth, seems to melt itself into the grandeur and the vastness of the realms in which it soars. It becomes one with the Eternal Power it strives to view,—a portion of the spirituality that it feels is all which harmonizes with itself. The lustre of its own intelligence seems to present but imperfections, and it strives,

with a deep and anxious wish, to elevate that which it feels belongs only to human nature,—all that is mere intellect or sensation, into something that more peculiarly attaches to spirit. It loses sight of the objects of reflection, which come from the things about it, that it draws in and lays up for subjects and data, on which the mind is to dwell, and contemplates higher and purer sources, where, though there is no distinct consciousness, and all is shadowy and speculative, yet seem to be the proper position, the natural if not the necessary orbit, for the movements of these daring and aspiring souls. It is that they feel the advantage, if not the necessity, of withdrawing from the world of matter to the world of spirits,—of leaving the actual and the real, for that which thought cannot embody or language express. Perhaps this mysticism, this awakening of intelligence, beyond the regions of common knowledge, is an essential in the poet's character, if not the basis of all immortal verse. If we foreclose it, and require that every thing should be reduced to the simplicity and distinctness of a sum in arithmetic, we should do one of two bad things, reduce all poetry to the dull regulations of art, or destroy the fineness and the beauty of the feelings that dictate it. Let one take Wordsworth's noble ode, "Intimations of Immortality from Recollections of Early Childhood," and try to give it the clearness of mathematics; and to what would he bring the music that breathes in every line, the surpassing power with which each thought is arrayed, the splendour that radiates through the whole, the majesty and dignity that swell simply and grandly through each verse? If it were attempted, it would be found, "that there hath past away a glory from the earth;" and success would involve little but the assassin's selfish gratification.

But we are not sure that Coleridge is open to the charge of mysticism in its strongest and worst sense, such as would apply to a religious enthusiast. His obscurity is the result of delicate and indistinct association; and this was an intellectual habit, arising partly from an original bias of the mind, and in an equal, if not greater degree, from the nature of his studies. The student's pedantry, and the metaphysician's ultra nicety of definition, made more obscure that which was already peculiar for its depth and distance from the usual modes of thinking. We will illustrate this by a passage from a note in his *Aids to Reflection*, where he speaks of the spirit that rules the church of England:—"Instead of a catholic (universal) spirit, it may be truly described as a spirit of particularism, counterfeiting catholicity by a *negative* totality, and heretical self-circumscription;" which is well said, though to all appearance, jargon, and undeniably enveloped in very harsh and repulsive language; and this habit of making use of uncommon words,

seems at last to have become inveterate, and extended not only where they were unnecessary and uncalled for, but where they destroyed the pleasure of reading, by concealing and making difficult of discovery the beauty and tenderness of the sentiment.

But in attempting to offer an apology for Coleridge's style, we will bring to our aid his great cotemporary, Sir James Mackintosh; a man in some respects similar, whose mind was engaged in speculations as indefinite in degree, but more generally useful, though in no way of so lofty an intellectual character. He is speaking of the "Friend," a series of essays first published in a newspaper, where they were as misplaced as diamonds on a dunghill, and must have shone with a very peculiar lustre from the mass around them. They were the elements of his philosophy, and were afterwards embodied in his more continued works, though these again were still elements, parts of some great unfinished whole, which he was ever approaching but never nearing, as it grew with his contemplations, and widened its limit with the increasing vastness of his irregular and boundless conceptions. There are passages, however, in the "Friend," that remind us of the deep drawn splendour of Milton in his prose writings; though as a whole, they illustrate the truth of a remark one cannot help deriving from them, that a man may think well, and write badly. But we will give Mackintosh's opinion, which will be taken as true or not, according to the degree of admiration one may have for Coleridge.

"It ("The Friend") is a refutation of the doctrine of the sovereignty of the people. It is not without ideas of great value: but it is impossible to give a stronger example of a man whose talents are beneath his understanding, and who trusts to his ingenuity to atone for his ignorance. Talents are, in my sense, habitual powers of execution; they may be very disproportioned to mind. Coleridge has either so aimed at objects naturally beyond his reach, or, what I rather believe, he has so fluctuated between various objects, that he has never mastered his subjects, and matured his ideas in such a degree, as to attain the habitual power of expressing himself with order and clearness. Shakspeare and Burke are, if I may venture on the expression, above talent, but Coleridge is not."

From having given what we think the mental causes for Coleridge's inefficiency, we will offer two of his own, indolence and ill-health. They will, to some extent, account for the quality and quantity of his labours; though only the initiated in these two evils can appreciate their full influence. Indolence is a fearful enemy to contend with, even where necessity compels exertion. It will always lessen the energy of the will, whatever be the capacity or the desire of success, or however terrible the terms on which we labour. There is a love of repose, a sweetness in inaction, after the mind has traversed a

wide circle of thought, though there appear no result, and though the sole trace is left upon the tablets of the brain, and the only record is in our own remembrance. Where the imagination is active, we are allowed to follow it. It carries us along over the far track of the past, and opens to us the long vista of the future. Splendid scenes and novel incidents rise as we course along, and pain too, and melancholy and doubt; all are represented with their various features of exaggeration, and all stand like realities for the moment. It is the same as a romance or a drama, where, though all is fiction, we cannot rid ourselves of the feeling of the existence of every character. There is no necessity for the hands recording what we have done, or seen, or felt; memory has fixed and infused it among the unfading sources of mental action; and it becomes an enduring record of the mind's vitality. What matters it if we have nothing to show after this long abstracted dream. There may be an increase in the power of reflection, and more food laid by for its future purposes. It is not as if we had dreamed, and the moment of our awaking destroyed the illusion, and showed how unsubstantial was the whole of that we had enjoyed, and of that too which gave us pain. It is not as if the senses had slumbered in the midst of day, nor is it like madness, when time and life bring nothing but the body's decay, and the agony imagination brings from our hearts, and the pleasure it creates, are the constant existence of past impression, wrought indelibly upon our minds, and coming forth with the vivid intensity of an incident of the moment. We are pursued by no phantom, shapeless, ghostly, and unreal; but that which stands before us is the spirit, in its living life-like form, of that which has been, and though no more, is ever near us, in all the deep torture of an undying remembrance.

The state of strong reflection to which we allude, is like none of these; but the mind, though it show not nor put into form its creations or its conclusions, has still exerted equal power, and feels weary of its effort. It is not indolent, but it shows a want of active industry, in thus allowing its gleanings to be thrown away. This appears to have been one of the bad propensities of Coleridge. He thought, and studied, and his mind was ever powerfully exerted; but there was a want of object that gave a rambling character to his thoughts, and his indolence did not admit of his fixing, with determined and persevering energy, on some one design. There is a great difference between thinking, and the attempt to make our conclusions available by giving them the form of manuscript. The one is a necessity with all—not cursed with the very spirit of vacancy, for no mind can live without action; it is a law of its nature, and as imperative as any to which we submit. But, where one is

compelled to reduce to shape the various ideas reason and imagination suggest, to form a living being, the image that exists only in the recesses of the mind, is an arduous and exhausting task—one far greater than the labour of thinking, the mere passive attention to our ideas as they rise, shapeless, chaotic, and crude.

We do not mean to disparage Coleridge so far as to accuse him of yielding to this intellectual idleness, though there was an approach to it, in the want of arrangement, and the obscurity displayed in his writings; and it appeared, too, the origin of a dislike of manual toil, and of a habit of loose thinking, that made him prefer conversation to every other mode of making known his peculiar opinions. It was a faculty and habit the most congenial to his disposition; it allowed him to give all the wild wanderings of his mind and imagination, without the toil of condensing his thoughts, and concentrating their power in expression. By its means he brought the whole mass of his great erudition into play, with all the variety of topic and illustration it suggested, and found in this way a ready vent for the multitude of ideas that thronged and crowded his intellect. But there were few to whom he was intelligible; they could not follow, when the guide had lost himself and thrown away the clue to the tortuous windings of his fancy, and cast all connection into intricacy and confusion. It was not that he was vague or abstract—for there were minds near him that could keep by his side, in the most profound and difficult matters,—but that the law of association was peculiar with him, that he saw analogies from dwelling more minutely on his thoughts, and that relations, even the most distant, were familiar to him, which others could not readily perceive: and thus there seemed no link between the folds that he had uncoiled—no consecutive series of ideas—but a disunited mass of great compass and depth—a fountain whose source was indistinct and obscure. For this reason, his conversation was like the firmament of heaven, filled with bright orbs, that rolled through the deep distance and fathomless obscurity of the sky, and clouded and remote to those in an inferior sphere, but which were regulated by the governing influence of his mind, and clear both in use and design to him, but to him alone.

But we must listen to his other excuse, of ill health, as a cause of inaction—a matter of which no one is a judge, who has not suffered; yet it has, like other evils, a compensating power—for, with all, there is at times the disposition to look in upon themselves, and even those most engaged in the toils and anxieties of the business of life, are often led to meditate on things that involve higher relations than their personal interests and welfare. Misfortune generally concentrates the

thoughts on self; and there is none greater than the disabled condition of physical debility.

There is no severer torment to the active spirit, than the consciousness of being unable to carry through what it undertakes, or of wanting more time for the execution of its labours, than others. But ill health causes a cowardly shrinking from labour. The mind may be active and vigorous, but it is subdued by the inertia of the body; it not only has to bear the weight of its own exertions, but to support a quickly exhausted frame. The living and the dead are bound together, and the soul ever feels its burden. But disease, which oppresses the spirits, and gives a despairing view of the importance of life, and its complete nothingness, keeps constantly before us the possibility of death, and withers the hope of action by enfeebling the desire. We ask the utility of commencing a work, when the chances are against our finishing it. We question the advantage of all or any exertion, when it may only shorten life. These demands show the morbid state of the mind, but they are the common and unhappy reaction of physical ill on our intellectual energies. But there is a self-contemplation from bad health, that seems to make us better acquainted with ourselves. From the ambitious wish to be at work, and the sense of total disqualification for exertion, arises a habit of meditating on our minds. There is a repeated examination of their capacity, a balancing of their energies, a fathoming of all they are fit for, and all they can do, that leads to a self-knowledge, which in itself is action; though while we are searching our souls to their depths, we meet with nothing to cheer, but much to depress in the physical weakness that incapacitates, much to unnerve and produce a disheartening and self-depreciating state. Through the death of the body, we thus are made to know the life of the mind; and through the decay of our strength, to appreciate our intellectual powers; and in this way we are, to some extent, compensated for our misery. But there is another way in which the want of health makes up for its unhappy influence: all sensation becomes more vivid, and pain and pleasure vibrate over the nerves with more intensity; and thus there is given a wider and more various play of feeling, and as the heart expands, the sphere for the movements of the intellect deepens and enlarges. It is this state of strong internal life and depressed animal spirits, that seems favourable to the observation of the poet, in endowing him with a finer perception, if it does not heighten his admiration for the beauty of nature, and opening every sense to the ready reception of a more powerful impression, by increasing the spirit of universal benevolence and good feeling that closes in over the humiliation and contempt for self.

But we must draw our remarks to a close, and merely add, that we shall have done a good deed, if a single individual should be induced by them, to make himself acquainted with their subject. We have expressed our admiration of the man and his mind, without discussing the character of his opinions or philosophy. It is enough if we find something to honour, little to cavil at, still less to blame. Time will prove itself the friend of that which is worthy of preservation, and close over all that it dooms to destruction.

ART. II.—*The Southwest*, by A YANKEE. 2 vols. 12mo. New York: Harper & Brothers. 1835.

For two reasons, the above book claims our notice. In the first place, it is an American production, evincing considerable talent; and secondly, the kind of work is a novelty. Travels in America, by an American! How many ideas does the very phrase suggest! The magnitude of the country; the diversity of character, of education, habits, and modes of life; the variety of institutions; the system of internal colonisation by which we build up mighty states within ourselves, the population of one section flooding another, and converting wildernesses into gardens. These ideas, and others as interesting, press at once upon the mind, and almost baffle both calculation and conjecture. Here is a native of one quarter of our land, who projects a visit to a distant part, which, perhaps at his birth, was, in a great measure, a pathless desert; inhabited but by hostile tribes of savages, and claimed as subject to foreign rule; after a sea-voyage of sufficient length to transport him to a totally different climate, (for he had left the trees and herbage of his native hills pinched by the winter's frost, and he finds every thing around him laughing in the luxuriance of summer;) he arrives at what, in so short a space of time, has become a permanent and settled portion of our Union, and discovers her teeming with population, wealth and enterprise, and preparing to be herself a centre for like progressive action upon lands as remote as she from her parent soil. Though distant more than a thousand miles from his native state, he feels the genial and protecting influence of the constitution of his country, which has expanded to encircle and embrace new empires, and he recognises the same principles of civil and religious liberty, which course, with the blood, through the veins of

every American. But though the same general outline meets his view, every diversity of detail is presented to him. He has left a manufacturing and commercial, and is among an agricultural people; *planters*, not *farmers*; with an agriculture unlike any he had seen, and with labourers of a different race of men. He surveys a picture of life where all the touches are grand, though rude; hospitality, boundless; generosity, profuse; expenditure, liberal; enterprise, unlimited; and though the fair face of the portraiture be occasionally discoloured by ruinous vices, as gambling, intemperance, and disregard of religion, he feels convinced that these are the inevitable scourges of a new country, where the door is thrown open so widely to profitable speculation, and that they will finally vanish, as they are in fact now gradually passing away, before the advance of civilisation, and her true parent, religion.

All this he records for the benefit of his countrymen at the north; and as he saw much that was both new and entertaining to himself, he concludes, and rightly, that it will be equally so to them.

In the destinies of the west, we believe all feel a deep interest. Every reflecting man is convinced, that the sceptre of empire in America is passing into western hands; and whether for weal or for woe, will ultimately depend upon their fitness to wield it. Hence the anxiety experienced at the east, for the spread of religion, of education, and of correct political sentiments in that vast region; and hence, too, the efforts of the virtuous and intelligent there, for the accomplishment of the same beneficent purposes. While, however, the interest is such as we have described, the actual information upon the subject with the majority at the north and east, is, we believe, but partial; and to such, the present work will be highly acceptable.

Of the productions of foreign tourists, except for purposes of amusement, we have seen quite enough. For information, it is idle to turn to them. These writers either do not, or will not, understand us. We would except Latrobe; but for the rest, none have gone beneath the surface, whether from want of intellect, or want of knowledge, may be questionable. They either flounder about in a thick mist which their own ignorance has engendered, or else, leaving their homes with certain theories in their heads, which must be made to suit all times and all places, every thing appears warped which does not square with them; or, if any cannot be so bent as to fit, they are, of course, condemned. What is new is absurd, and must therefore be laughed at. Mere externals easily admit of this, and these have, on that account, generally been selected for this object. We have made an exception in favour of such

productions: it is that of amusement. For this, commend us to the Notes of an English Traveller in the United States. The fun is by no means all upon their side. That much may be furnished to them, we readily admit. No one, with a lively imagination, could travel in a foreign country where the manners of the inhabitants differ from his own countrymen, and their modes of thought vary so widely as do those of Englishmen and Americans, and not find, if he sought it, abundant food for ridicule. We say nothing of the taste or feeling of those who would indulge it to any extent, or of their flimsy judgment, who, from such trifles—equal, at least, in authority, as regards any inherent or actual propriety—would pass upon the character of the institutions of a great nation, or of her probable onward march.

But the pleasure of the actors, and of the spectators, is at least balanced. Is there no food for laughter and for sarcasm, in the voluntary display of false premises and illogical conclusions? None in that of hasty deductions from a momentary glance at matters requiring cautious and enlightened investigation? Is there no mirth raised by the sight of soured self-conceit, or of vanity decked in a grim, mock dignity? And is there not a mutuality of amusement caused by strangeness of deportment, novelty of pronunciation, language, temperament, or habits? Verily, there is much: much more than some travellers would appear to have dreamt of, though the publicity accorded to such *variations* has been all on one side. For ourselves, we should lament, on the score of mere amusement, the eradication from the *order* of literary creations, the *genus* of "books of travel in the United States of America;" they have peculiarities that can never be mistaken, and which recommend them powerfully to all lovers of the burlesque.

But our "Yankee" author may suppose us to have overlooked him, in pursuit of other game. Far from it; in accordance with Sir Jonah Barrington's Irish Baronet's advice, we have, "by avoiding him, met him plump." He is neither an ignorant nor a prejudiced observer; and though fresh from the "land of notions," he went to the Southwest, not predetermined to find fault with whatever differed from the ways of "down East," nor supposing that he alone was the arbiter of either elegance or propriety. He went for information, and he obtained it; and with it, much legitimate amusement also; and on the score of capacity to profit by what he saw, to judge from his letters, there is no deficiency in that particular.

In commending thus the general character of the book, we would not be understood as insensible to its deficiencies. These, however, are chiefly those of style. The language is often coarse, and sometimes vulgar; and what is more objectionable,

the writer seems fond of indulging in the frequent use of scriptural expressions, applied at times with much levity, and to trivial circumstances. And yet, when speaking directly upon the subject of religion, he would wish to be considered as ranged decidedly upon her side. This arises, no doubt, from carelessness; but a little consideration might have prevented the occasion for such criticism. The work is never tedious—on the contrary, it is lively and spirited, and abounds in most graphic descriptions of scenery and manners. We shall skim lightly over it, touching upon such portions as we think most likely to reward attention.

The interesting topics connected with the all-absorbing subject of slavery, form a large proportion of the contents. Upon this part of the work, we shall say nothing at present; considering it better, for the repose of the community, to abstain from its public discussion. It is, however, greatly to be desired, that as much correct information as can be furnished at the north, should be had there; it being conducive to a future correct judgment upon the point. One essential basis for any such conclusion, would seem to be a knowledge of the actual present condition of the negroes at the south—their happiness or unhappiness—their manners; physical appearances; peculiarities of every kind, and their intellectual qualities: all these points will be found to be noted and illustrated by our author; and they form a very amusing part of his account. Some of these we may extract as we proceed.

The writer's impartiality as regards his "Yankee" brethren, may be gathered from a paragraph we shall quote. Near the Bahama Banks, during the voyage from Boston to New Orleans, the vessel was becalmed, and lay near a brig loaded with lumber, technically called "a fruiterer." These constitute a considerable portion of the trading ships of some of the eastern states; and our author thus speaks of them and their owners:—

"These lumber vessels, which are usually loaded with shingles, masts, spars, and boards, have been long the floating mines of Maine. But as her forests disappear, which are the veins from whence she draws the ore, her sons will have to plough the earth instead of the ocean. Then, and not till then, will Maine take a high rank as an agricultural state. The majority of men who sail in these lumber vessels are both farmers and sailors; who cultivate their farms at one season, sell its timber and sail away with it in the shape of boards and shingles to a West India mart at another. Jonathan is the only man who knows how to carry on two trades at one time, and carry them on successfully.

"For their lumber, which they more frequently *barter* away than sell, they generally obtain a return cargo of molasses, which is converted by our 'sober and moral' fellow-countrymen into liquid gunpowder, in the vats of those numerous distilleries, which, like guide-posts to the regions of death, line the sea-skirts of New England!"

He arrived at New Orleans in the midst of the gaiety and business of that thriving metropolis, and was soon initiated into all the mysteries of the place. In passing up the river to the city, the vessel swept round the curve denominated "The English Turn," and the writer, who was of course inquisitive, and is fond of giving derivations to names, found out the following etymology :—

"Tradition saith, that some British vessels of war pursuing some American vessels up the river, on arriving at this place gave up the pursuit as useless, and *turned* back to the Balize.

"Another tradition saith that John Bull chasing some American ships up the river, thought, in his wisdom, when he arrived at this bend, that this was but another of the numerous outlets of the hydra-headed Mississippi, and supposing the Yankee ships were taking advantage of it to escape to the sea—he *turned* about and followed his way back again, determined as school-boys say, to 'head them!' "

Whether true or not, we are unable to say; it is, however, as probable as many given on other subjects by learned antiquarians.

The "Yankee" made also another discovery of a matter, about which we confess that we never heard any difficulty suggested. It would seem, however, from his remarks, that our eastern friends have been in the habit of regarding *creole* as synonymous with *mulatto*. If so, now especially is the time when the mistake should be rectified. One would have supposed the derivation of the word to be sufficient to show that its meaning had no connection with colour. He states in a note :—

"Where there is one individual in New England correctly informed, there are one hundred who, like him, know no distinction between the terms *creole* and *mulatto*. 'Creole' is simply a synonym for 'native.' It has, however, only a local, whereas 'native' has a general application. To say, 'He is a *creole* of Louisiana,' is to say 'He is a *native* of Louisiana.' Contrary to the general opinion at the north, it is seldom applied to coloured persons. *Creole* is sometimes, though not frequently, applied to Mississippians; but with the exception of the West India Islands, it is usually confined to Louisiana."

Immediately after his arrival, the author had his eastern sentiments shocked by what we can by no means consider as the peculiar sin of New Orleans, but as unfortunately pervading the whole of our country. We refer to duelling; which, though prevailing probably more at the south-west, is still, unhappily, to be charged upon all quarters of our land. On this occasion, he was accidentally present at a quarrel in the evening; a challenge passed between the parties—they met next morning, and one of the combatants was killed.

It will be recollected that endeavours were made by the well disposed portion of the society of New Orleans to put a stop to

this terrible practice, by the institution of a Court of Honour. We had hoped that this, together with the wider spread of religious feeling, would have produced a beneficial effect in this particular; but we are sorry to find, from our author's account, that the experiment has totally failed, and that public opinion is so strongly in favour of that mode of avenging insult, that no one has yet dared to stem its current. He professes to say from the experience of a considerable residence there, that "an appointment for a duel is talked of with the nonchalance of an invitation to a dinner party." We trust that this opinion is unsound; or if the evil have risen to the pitch described, that the strong arm of the legislative power will be interposed to wipe out this stain upon the morals of the land. It has been done in the case of gambling, another of the excesses of human passion which the traveller encountered to such an extent in this same city. At the period of his arrival, gambling establishments were regularly licensed, and paid, annually, for their pernicious privileges, more than sixty thousand dollars. Their number was, consequently, very large, compared with the size of New Orleans; they were situated in the most public streets—open from mid-day until early next morning, and thronged with all classes of the community, from the lowest black-leg to men of high standing. The temptations held out in the shape of large dividends, induced many monied men, in other respects of unobjectionable character, to become stockholders in these institutions, whose establishment was effected by the sale of shares in the same manner as that of other companies.

These *infernos* (and it is not to his discredit that we mention it) appear to have been quite a novelty to our "Yankee" visiter; and he therefore describes them minutely and graphically to his friend at home, presenting what was intended to be a startling picture, to the unsophisticated inhabitants of his native state. As we presume most of our readers have, either from personal observation, or the accounts of others, obtained a pretty definite idea of what such places are, and of what is carried on in their precincts, we shall pass over our author's account of them, though it is very well written, and no doubt made his correspondents raise their eyes in horror at the wickedness of their kind. These "Rooms" are located generally over the "coffee-houses," (as they are termed, *quasi lucus*, &c.) being one step higher in the grade of dissipation than the latter. It is stated, that there are at least one hundred of these cafés in New Orleans, thronged throughout the day with "thirsty, time-killing, and news-seeking visitors." We will extract the notice of one, which we presume to be a fair specimen of the rest :—

"As the coffee-houses here do not differ materially from each other except in size and richness of decoration, though some of them certainly are more fashionable resorts than others, the description of one of them will enable you perhaps to form some idea of other similar establishments in this city. Though their usual denomination is 'coffee-house,' they have no earthly, whatever may be their spiritual, right to such a distinction; it is merely a '*nom de profession*,' assumed, I know not for what object. We entered from the street, after passing round a large Venetian screen within the door, into a spacious room, lighted by numerous lamps, at the extremity of which stood an extensive bar, arranged, in addition to the usual array of glass ware, with innumerable French decorations. There were several attendants, some of whom spoke English, as one of the requirements of their station. This is the case of all *employés* throughout New Orleans; nearly every store and place of public resort being provided with individuals in attendance who speak both languages. Around the room were suspended splendid engravings and fine paintings, most of them of the most licentious description, and though many of their subjects were classical, of a voluptuous and luxurious character. This is French taste, however. There are suspended in the exchange in Chartres street—one of the most magnificent and public rooms in the city—paintings which, did they occupy an equally conspicuous situation in Merchant's Hall, in Boston, would be instantly defaced by the populace.

"Around the room, beneath the paintings, were arranged many small tables, at most of which three or four individuals were seated, some alternately sipping negus and puffing their segars, which are as indispensable necessities to a creole at all times, as his right hand, eyebrows, and left shoulder, in conversation. Others were reading newspapers, and occasionally assisting their comprehension of abstruse paragraphs, by hot 'coffee,' alias warm punch and slings, with which, on little japanned salvers, the active attendants were flying in all directions through the spacious room, at the beck and call of customers. The large circular bar was surrounded by a score of noisy applicants for the liquid treasures which held out to them such strong temptations. Trios, couples, and units of gentlemen, were promenading the well sanded floor, talking in loud tones, and gesticulating with the peculiar vehemence and rapidity of Frenchmen. Others, and by far the majority, were gathered by twos and by fours around the little tables, deeply engaged in playing that most intricate, scientific, and mathematical of games termed 'domino.' This is the most common game resorted to by the creoles. In every café and cabaret, from early in the morning, when the luxurious mint-julep has thawed out their intellects and expanded their organ of combativeness, till late at night, devotees to this childish amusement will be found clustered around the tables, with a tonic often renewed and properly sangareed, at their elbows. Enveloped in dense clouds of tobacco-smoke issuing from their eternal segars—those inspirers of pleasant thoughts,—to whose density, with commendable perseverance and apparent good will, all in the café contribute,—they manœuvre their little dotted, black and white parallelograms with wonderful pertinacity and skill."

The existence of such a state of things could hardly be permanent in any section of our country, and after repeated attempts by the citizens of Louisiana for the suppression of at least the public countenance given to gambling, (which were for a long time unavailing,) the cause of good morals finally

triumphed. The nuisances we have referred to were suppressed, under very severe penalties for an infraction of the law. We shall give our author's abstract of the provisions of the statute, as well to show the extent of the evil, and the importance which the legislature attached to it, as for the purpose of a wider dissemination of so wise and decided a measure. We regard it as a happy presage of what public opinion may finally accomplish with respect to private combat. The abstract we referred to, is this:—

“During the last session of the legislature of Louisiana, however, a bill to suppress gambling-houses in New Orleans, passed both houses, and has become a law. One of the enactments provides that the owners or occupants of houses in which gambling is detected, are liable to the penalties of the law. For the first offence, a fine of from one to five thousand dollars; for the second, from ten to fifteen thousand, and confinement in the penitentiary from one to five years, at the discretion of the court. Fines are also imposed for playing at any public gaming table, or any banking game. The owners of houses where gaming tables are kept, are liable for the penalty, if not collected of the keeper; unless they are able to show that the crime was committed so privately that the owner could not know of it. It also provides for the recovery of any sums of money lost by gaming.

“To make up the deficiency in the revenue arising from the abolition of gaming houses, a bill has been introduced into the legislature, providing for the imposition of a tax on all passengers arriving at, or leaving New Orleans, by ships or steamboats.”

With the appearance of the city generally, and with the society, our Eastern friend was delighted; and he confirms our previous impressions of the widely cast seeds of future commercial wealth and eminence in this great southern metropolis. These cannot now be enlarged upon; let us rather turn to what he says of the personal appearance of the New Orleans women. His descriptions of the beauty of the creole ladies is certainly vivid,—and if not overcharged, places them in the highest grade of feminine loveliness. For perfection (or, as the enthusiastic writer terms it, “magnificence”) of form, the *quadroons* are eminently distinguished. In the following passages the subject is touched upon, and a characteristic comparison instituted with the belles of the Green Mountains. He was at a public ball.

“During our promenade through the room I had an opportunity of taking my first survey of the gay world of this city, and of viewing at my leisure the dark-eyed fascinating creoles, whose peculiar cast of beauty and superb figures are every where celebrated. Of the large assembly of ladies present,—and there were nearly two hundred, “maid, wife, and widow,”—there were many very pretty, if coal-black hair, regular features, pale, clear complexions, intelligent faces, lighted up by

‘Eyes that flash and burn
Beneath dark arched brows,’

and graceful figures, all of which are characteristic of the creole, come under this definition. There were others who would be called 'handsome,' any where, except in the Green Mountains, where a pretty face and a red apple, a homely face and a lily, are pretty much synonymous terms. A few were eminently beautiful."

Again; at the theatre—

"The 'parquette' was brilliant with bright eyes and pretty faces; and upon the bending galaxy of ladies which glittered in the front of the boxes around it, I seemed to gaze through the medium of a rainbow.—There were, it must be confessed, some plain enough faces among them; but, at the first glance of the eye, one might verily have believed himself encircled by a gallery of houris. The general character of their faces was decidedly American; exactly such as one gazes upon at the Tremont or Park theatre; and I will henceforward eschew physiognomy, if 'I guess' would not have dropped more naturally from the lips of one half who were before me, while conversing, than 'I reckon.' There were but few French faces among the females; but, with two or three exceptions, these were extremely pretty. Most of the delicately-reared creoles, or Louisianian ladies, are eminently beautiful. A Psyche-like fascination slumbers in their dark, eloquent eyes, whose richly fringed lids droop timidly over them—softening but not diminishing their brilliance. Their style of beauty is *unique*, and not easily classed. It is neither French nor English, but a combination of both, mellowed and enriched under a southern sky. They are just such creatures as Vesta and Venus would have moulded, had they united to form a faultless woman."

The legislative assembly of Louisiana impressed our traveller very favourably as respects the talent it contained. The amalgamation of the two races has been sufficient to exclude, at least from that floor, any jealous, much less hostile feelings. In one particular, however, it seems to us that the want of a common language by all classes produces what is to a degree destructive to the power of eloquence and of the spirit of debate; we allude to the necessity of an interpreter. This is more objectionable in its results, and occasionally, we should think, even more ludicrous in its management, than the system of haranguing from a tribune pursued in the French Chamber of Deputies. The contrast in the attitudes and countenances of the two disputants: one pouring forth torrents of fiery words which fall unheeded, because unintelligible, on the ears of the listener, who sits intensely anxious to know what it all means, until in his turn he becomes inflamed from the explanations of the interpreter, ("he says, sir,")—like John Kenble laughing an hour after the wit had been relished by every one beside, though probably unnoticed by those to whom habit has made it familiar, must to a stranger be inexpressibly comical. It is well described by our author.

"A spirit of mutual cordiality, as great as can be looked for in a political assembly, pervades their whole body, to the entire exclusion of

local prejudices. Neither is there an exclusive language used in their legislative proceedings. It is not necessary that the American members should speak French, or *vice versa*, though it would be certainly more agreeable were it universally understood by them; as all speeches made by Frenchmen are immediately translated into English, while those made by the Americans are repeated again, by the translator, to the French part of the house, in their own language. This method not only necessarily consumes a great deal of time, and becomes excessively tedious to all parties, but diminishes, as do all translations, the strength, eloquence, and force of a speech; and, of course, lessens the impression. It is not a little amusing, to study the whimsical contortions of a Frenchman, while, with shrugging shoulders and restless eyes, he listens to, and watches the countenance of some American party opponent, who may have the floor. The latter thunders out his torrent of eloquence, wherein the nicest epithets are not, perhaps, the most carefully chosen, in his zeal to express his political gall against his Gallic opponent; while Monsieur fidgets about in happy ignorance, till the honourable member concludes,—when he jumps up, runs his open hand, chin, and nose, almost in the face of the interpreter, ‘*arrectis auribus*,’ and chafing like a lion; and before the last sentence is hurriedly completed, flings down his gauntlet,—throws his whole soul into a rush of warm eloquence, beneath the edifying sound of which, his American antagonist feels that it is now his time to look foolish, which he does with a most commendable expression of mock *sang froid*, upon his twitching, try-to-be philosophic features.”

Upon the whole, the writer presents an unfavourable picture of the state of morals in New Orleans. He particularly adverts to the disregard of the Sabbath; that being the day especially selected for theatrical performances. It is the fashionable night. This and much else that we have alluded to, is owing, doubtless, to the original character of the population,—French and Spanish: American habits and principles not having yet become paramount. We hope for a change; and are beside disposed to think that our author has exhibited but one side of the sketch; and has overcharged his estimate of south-western immoralities. If so, we should be glad to see a correction from the injured quarter itself.

After speaking of churches and their neglect, the traveller turns to churchyards and cemeteries, and mourns over the want of care and respect paid to them in America. He makes against his countrymen, upon this head, the serious charge of want of civilisation; for he asserts “that care for the dead keeps pace with civilisation.” We must dissent from the proposition in toto. The largest receptacles for the lifeless bodies of men and the greatest expenditures, both of labour and money, for their preservation, existed with a nation of antiquity we should be loth to consider more civilised than ourselves. Is England less so than France or Italy? Or are the Turks more advanced than the other nations of Europe? These last have even their “city of the dead;” mighty in its proportions. We should rather be disposed to believe the converse of the

proposition. For it appears to us, that the body after death has received more care and honours from savage than from refined nations; and we are not persuaded that Christianity inculcates any special funeral rites or extreme care for the dust and ashes of the departed. The question put by the author, and which he has left unsolved, "to what is to be attributed the universal indifference of Americans to honouring the dead by those little mementos and marks of affection and respect which are interwoven with the very religion of other countries?" we think may be readily answered. We are not an imaginative people. We are, as a whole, deficient in sprightliness and animation; careful, laborious, practical in our "notions," and more given to cutting canals and laying out railroads than to planning and decorating cemeteries. We would be unwilling to exchange the Pennsylvania or Erie canal for either *Père-Lachaise* or the Pyramids of Egypt.

We could dwell much longer upon the scenes in and about New Orleans; that city "to which each nation in Europe appears to have contributed a street;" but we must pass on, and shall therefore merely extract further, in relation to this subject, the "Yankee's" account of some of the *stations* (as parts of the *Levéé*, appropriated to particular classes of shipping, are called.)

"Next to this station commences the range of steamboats, or steamers, as they are usually termed here, rivaling in magnitude the extensive line of ships below. The appearance of so large a collection of steamboats is truly novel, and must always strike a stranger with peculiar interest.

"The next station, though it presents a more humble appearance than the others, is not the least interesting. Here are congregated the primitive navies of Indiana, Ohio, and the adjoining states, manned (I have not understood whether they are *officered* or not) by 'real Kentucks'—'Buck eyes'—'Hooshers'—and 'Snorters.' There were about two hundred of these craft without masts, consisting of 'flat-boats,' (which resemble, only being much shorter, the 'Down East' gundalow, (gondola,) so common on the rivers of Maine,) and 'keel-boats,' which are one remove from the flat-boat, having some pretensions to a keel; they somewhat resemble freighting canal-boats. Besides these, are 'arks,' most appropriately named, their *contents* having probably some influence with their god-fathers in selecting an appellation, and other nondescript craft. These are filled with produce of all kinds, brought from the 'Upper-country' (as the northwestern states are termed here) by the very farmers themselves who have raised it;—also, horses, cattle, hogs, poultry, mules, and every other thing raiseable and saleable, are piled into these huge flats, which an old farmer and half a dozen Goliaths of sons can begin and complete in less than a week, from the felling of the first tree to the driving of the last pin.

"When one of these arks is completed, and 'every beast that is good for food' by sevens and scores, male and female, and every fowl of the air by sevens and fifties, are entered into the ark,—then entereth in the old man with his family by 'males' only, and the boat is committed to

the current, and after the space of many days arriveth and resteth at this Ararat of all 'Up country' Noahs.

"These boats, on arriving here, are taken to pieces and sold as lumber, while their former owners, with well-lined purses, return home as deck passengers on board steamboats."

The next point of debarcation with our traveller, was Natchez; and the details he furnishes of the city and neighbourhood are very amusing. He there saw more of the treatment of the negroes, as a class, and of their peculiarities and habits, than in New Orleans. He would appear to have caught their language and orthography admirably; which, by the by, constitute about as good English as the worthy Major Downing's regular slang. We shall make some liberal extracts from this portion of the work, partly to illustrate our author's powers of description, (which we regard as considerable,) and principally because we look upon all sketches of the character and dispositions of the negro race in the United States as replete with the deepest interest. The writer mingled with them, casually; not for purposes of commerce, but merely as an observer, standing aloof from all prejudices which might warp his conclusions deduced from what he saw. If, therefore, his account be true, (which we see no reason to doubt,) his testimony is of no little importance.

His landing at Natchez is thus described:—

"We landed last evening at the Levée, amid the excitement, noise, and confusion which always attend the arrival or departure of a steamer in any place. But here the tumult was varied and increased by the incessant jabbering, hauling, pulling, kicking and thumping, of some score or two of ebony-cheeked men and urchins, who were tumbling over each other's heads to get the first trunk.

"'Trunk, massa—trunk! I take you baggage.'

"'You get out, for a nigger!' exclaimed a tall, strapping fellow, as black as night, to his brother ebony. 'I'm the gemman, massa, what care de trunk.' 'Dis nigger, him know noffing, massa—I'm what's always waits on um gentlemans from de boats!' roared another; and stooping to take one of the handles, the other was instantly grappled by a rival, and both giving a simultaneous jerk, the subject of the contest flew violently from their hands, and was instantly caught up by the first 'gemman,' and borne off in triumph. This little by-play was acted, with variations, in every part of the cabin, where there was either a gentleman or a trunk to form the subject.

"On landing, there was yet another trial of the tympanum.

"'Carriage, massa—mighty bad hill to walk up!' was vociferated on all sides; and

"'No, no, no!' was no argument with them for a cessation of attack; denial only made them more obstinate; and, like true soldiers, they seemed to derive courage from defeat.

"Forcing my way through the dingy crowd—for four out of five of them were black, and, 'by the same token,' as ragged as Falstaff's regiment, of shirtless memory—I followed my athletic pioneer: who, with my heavy baggage poised accurately upon his head, moved as rapidly

and carelessly along the thronged *Levée*, as though he carried no weight but his own thick cranium. On looking round me for a moment, on landing, I was far from agreeably impressed with the general appearance of the buildings.

"The principal street, which terminates at the ascent of the hill, runs parallel with the river, and is lined on either side with a row of old wooden houses; which are alternately gambling-houses, brothels, and bar-rooms: a fair assemblage! As we passed through the street—which we gained with difficulty from the boat, picking our way to it as we could, through a filthy alley—the low, broken, half-sunken side-walks, were blocked up with fashionably-dressed young men, smoking or lounging, tawdrily arrayed, highly rouged females, sailors, Kentucky boatmen, negroes, negresses, mulattoes, pigs, dogs, and dirty children. The sounds of profanity, and Bacchanalian revels, well harmonising with the scene, assailed our ears as we passed hastily along, through an atmosphere of tobacco smoke and other equally fragrant odours. After a short walk we emerged into a purer air, and in front of a very neat and well-conducted hotel. From near this place, extending along the *Levée* to the north, commences the mercantile part of the 'landing,' lined with stores and extensive warehouses, in which is transacted a very heavy business. The whole of this lower town is built upon a reclaimed flat, from one to two hundred yards broad, and half a mile in length; bounded upon one side by the river, and on the other by the cliff or bluff, upon which Natchez stands, and which rises abruptly from the *Batture*, to the height of one hundred and sixty feet. This bluff extends along the river, more or less varied and broken, for several miles; though at no point so abrupt and bold as here, where it bears the peculiar characteristics of the wild scenery of 'Dover cliffs.' The face of the cliff at Natchez is not a uniform precipice, but, apparently by the provident foresight of nature, broken by an oblique shelf or platform, gradually inclining from the summit to the base. With but a little excavation, a fine road has been constructed along this way, with an inclination sufficiently gentle to enable the heaviest teams to ascend with comparative ease."

"On arriving at the summit of the hill, I delayed a moment, for the double purpose of taking breath and surveying the scene spread out around me. Beneath lay the roofs of warehouses, stores, and dwellings, scattered over a flat, sandy surface, which was bordered, on the water side, by hundreds of up-country flat-boats, laden with the produce of the rich farming states bordering the Ohio and 'Upper Mississippi.' Lower down, steamers were taking in and discharging freight; while the mingled sounds of the busy multitude rose like the hum of a hive upon the ear. Immediately opposite me lay two ships, which, with their towering masts, gay flags, and dark hulls, agreeably relieved the otherwise long and unbroken line of boats. To the north, the river spreads its noble bosom till lost in the distance; while the continuous line of cliffs, extending along its shore like a giant-wall, seem to speak in the language of power, 'thus far shalt thou flow, and no farther, and here shall thy proud waves be stayed.' To the south, the view is confined by the near projection of the obtruding cliffs. Yet the river stretches boldly out many miles on its course toward the sea, till lost to sight within the bosom of the distant forests which bound the southern horizon. To the west, the eye travels over the majestic breadth of the river, here a mile wide, and rests for a moment upon level and richly cultivated fields beyond, a quiet village and noble forests, which spread away to the west like a vast sea of waving foliage, till they blend with the bending sky, forming a level and unbroken horizon. Turning from this scene of

grandeur and beauty to the east, Natchez, mantled with rich green foliage like a garment, with its handsome structures and fine avenues, here a dome and there a tower, lies immediately before me. It is the very contrast to its straggling namesake below. The city proper consists of six streets, at right angles with the river, intersected by seven others of the same length, parallel with the stream. The front, or first parallel street, is laid out about one hundred yards back from the verge of the bluff, leaving a noble green esplanade along the front of the city, which not only adds to its beauty, but is highly useful as a promenade and parade ground. Shade trees are planted along the border, near the verge of the precipice, beneath which are placed benches, for the comfort of the lounge. From this place, the eye commands one of the most extensive prospects to be found on the Mississippi. To a spectator, standing in the centre of this broad, natural terrace, the symmetrical arrangement of the artificial scenery around him is highly picturesque and pleasing."

He was present, from motives of curiosity, shortly after, at an auction of slaves in Natchez, and he thus describes the scene. It was in "Main street," the "Broadway" of the city.

"Walk with me into this street about noon on a pleasant day in December. It is the only one nearly destitute of shade trees; but the few it boasts are shedding their yellow leaves, which sprinkle the broad, regular, and well-constructed side-walks, and the warm sun shines down cheerily and pleasantly upon the promenaders.—Here, at the corner, surrounded by a crowd, is an auction store. Upon a box by the door, stands a tall, fine-looking man. But he is *black*; ebony cannot be blacker. Of the congregation of human beings there, he is the most unconcerned. Yet he has a deeper interest in the transactions of the moment than all the rest—for a brief space will determine whom, among the multitude, he is to call master! The auctioneer descants at large upon his merits and capabilities.—'Acclimated, gentlemen! a first-rate carriage-driver—raised by Col. —. Six hundred dollars is bid. Examine him, gentlemen—a strong and athletic fellow—but twenty-seven years of age.' He is knocked off at seven hundred dollars; and with 'There's your master,' by the seller, who points to the purchaser, springs from his elevation to follow his new owner; while his place is supplied by another subject. These scenes are every-day matters here, and attract no attention after beholding them a few times; so powerful is habit, even in subduing our strongest prejudices. But the following dialogue, overheard by me, between two well-dressed, smart-looking blacks near by, one seated listlessly upon his coach-box, the other holding the bridle of his master's horse—though brief, contains a volume of meaning, in illustrating the opinions and views of the blacks upon the state of their degraded race.

"'You know dat nigger they gwine to sell, George?'

"'No, he field nigger; I nebber has no 'quaintance wid dat class.'

"'Well, nor no oder gentlemens would. But he's a likely chap. How much you tink he go for?' 'I a'nt much 'quainted wid de price of such kind o' peoples. My master paid seven hundred dollar for me, when I come out from ole Wirginney—dat nigger fetch five hun'ed dollar, I reckon.'

"'You sell for only seben hun'ed dollars!' exclaimed the gentleman upon the coach-seat, drawing himself up with pride, and casting a contemptuous glance down upon his companion: 'my massa give eight

hundred and fifty silver dollars for me. Gom! I tink dat you was more 'spectable nigger nor dat.' At this turn of the conversation the negro was struck off at seven hundred, at which the colloquist of the same price became highly chagrined; but, stepping upon the stirrup, and raising himself above the crowd, that he might see 'the fool massa what give so much for a miserable good-for-nothing nigger, not wort' his corn,' consoled himself with the reflection that the buyer was 'a man what made no more dan tirty bale cotton; while my master make tree hun'red, and one of de firs' gemmans too!'"

We continue our extracts, with the further view of enabling our readers to judge of the apparent contentedness, or otherwise, of the slaves; and to add another proof of the great humanity with which, (to the honour of the planters of the United States be it spoken,) as an almost universal rule, the negroes are treated.

"In 'Natchez under the hill,' the Sabbath, as a day of rest and public worship, is not observed according to the strictest letter of the old 'blue laws.' On that day the stores are kept open, and generally filled with boatmen and negroes. With the latter this day is a short jubilee, and, with the peculiar skill of their race, they make the most of it—condensing the occupation and the jollity of seven days into one. It is customary for planters in the neighbourhood to give their slaves a small piece of land to cultivate for their own use, by which those who are industrious generally make enough to keep themselves and their wives in extra finery and spending money throughout the year. They have the Sabbath day given them as a holiday, when they are permitted to leave their plantations and come into town to dispose of their produce, and lay in their own little luxuries and private stores. The various avenues to the city are consequently on that day filled with crowds of chatting, laughing negroes, arrayed in their Sunday's best, and adroitly balancing heavily loaded baskets on their heads, which, from long practice in this mode of conveyance, often become indurated, like a petrification, and as flat as the palm of the hand, distending at the sides, and elongating in proportion to the depression, causing a peculiar conformation of the skull, which would set phrenology at defiance. Others mounted on mules or miserable-looking plough-horses, in whose presence Rosinante himself would have looked sleek and respectable—burthened with their marketable commodities, jog on side by side, with their dames or sweethearts riding 'double-jaded'—as the Yankees term the mode—behind them; while here and there market carts returning home from the city, (as this is also market morning) or from the intersecting roads, pour in upon the highway to increase the life, variety, and motley character of its crowd. But this unpleasing picture of a Sabbath morning, has brighter tints to redeem the graver character of its moral shades. Of all that picturesque multitude of holiday slaves, two-thirds, the majority of whom are women, are on their way to church, into whose galleries they congregate at the hour of divine service in great numbers, and worship with an apparent devoutness and attention, which beings who boast intellects of a higher order might not disdain to imitate. The female slaves very generally attend church in this country; but, whether to display their tawdry finery, of which they are fond to a proverb, or for a better purpose, I will not undertake to determine. The males prefer collecting in little knots in the streets, where, imitating the manners, bear-

ing, and language of their masters, they converse with grave faces and in pompous language, selecting hard, high-sounding words, which are almost universally misapplied, and distorted from their original sound, as well as sense, to a most ridiculous degree—astounding their gaping auditors ‘ob de field nigger class,’ who cannot boast such enviable accomplishments—parading through the streets from mere listlessness, or gathering around and filling the whiskey shops, spending their little all for the means of intoxication. Though negroes are proverbially lovers of whiskey, but few are to be found among them who get drunk, unless on Christmas holidays, when the sober ones are most easily numbered; this is owing to the discipline of plantations, the little means they have wherewith to purchase, and last, though not least, the fear of punishment—that ‘*argumentum ad corporem*,’ which leaves a stinging conviction behind it, of the painful effects of ‘old rye’ in the abstract upon the body.”

With one more extract, we shall take our leave of this part of the subject, promising our readers, if they will turn to the book itself, many more passages of equal raciness.

“While standing upon the gallery in the evening, enjoying the various busy scenes and confused sounds peculiar to a plantation at the close of day, my attention was drawn to a lugubrious procession, consisting of seven or eight negroes, approaching the house from the ‘quarters,’ some with blankets thrown like cloaks over their shoulders, their heads bandaged, and moving with a listless gait of inimitable helplessness. One after another they crawled up and presented themselves, before the open passage in the gallery. Seeing such a sad assembly, I approached them with curiosity, while their master, notified of their arrival, came out to examine into the state of this his walking hospital. Of all modifications of the ‘human face divine,’ that of the sick negro is the most dolorous. Their miserable, abject, hollow-eyed look, has no parallel. The negro is not an Adonis, in his best estate. But he increases his natural ugliness by a laxity of the muscles, a rolling of the eye, and a dropping of the under jaw, when ill, which give his face a most ludicrously wobegone appearance. The transparent, jet-black hue of his skin altogether disappears, leaving the complexion a dingy brown or sallow, which in no slight degree increases the sadness of his physiognomy. Those who are actually ill, generally receive every attention that humanity—not ‘interest’—dictates. It has been said that interest is the only friend of the slave; that without this lever applied to the feelings of the master, he would never be influenced to care for his slaves either in health or sickness. However true this may be in individual instances, a vast number of cases have come within my knowledge, which have convinced me that as a general censure this charge is unmerited. Planters, particularly native planters, have a kind of affection for their negroes, incredible to those who have not observed its effects. If rebellious, they punish them—if well-behaved, they not unfrequently reward them. In health, they treat them with uniform kindness—in sickness, with attention and sympathy. I once called on a native planter—a young bachelor, like many of his class, who had graduated at Cambridge, and traveled in Europe—yet northern education and foreign habits did not destroy the Mississippian. I found him by the bed-side of a dying slave—nursing him with a kindness of voice and manner, and displaying a manly sympathy with his sufferings, honourable to himself and to humanity. On large plantations, hospitals are erected for the

reception of the sick, and the best medical attendance is provided for them. The physicians of Natchez derive a large proportion of their incomes from attending plantations. On some estates a physician permanently resides, whose time may be supposed sufficiently taken up in attending to the health of from one to two hundred persons. Often, several plantations, if the 'force' on each is small, unite, and employ one physician for the whole. Every plantation is supplied with suitable medicines, and generally to such an extent, that some room or part of a room in the planter's house is converted into a small apothecary's shop. These, in the absence of the physician in any sudden emergency, are administered by the planter. Hence, the health of the slaves, so far as medical skill is concerned, is well provided for. They are well fed and warmly clothed in the winter, in warm jackets and trowsers, and blanket coats enveloping the whole person, with hats or woolen caps and brogans. In summer they have clothing suitable to the season, and a ragged negro is less frequently to be met with than in northern cities.

"The attendance which the sick receive is a great temptation for the slaves to 'sham' illness. I was dining not long since in the country where the lady—a planter's daughter, and the wife and mother of a planter—sent from the table some plates of rich soup and boiled fowl to 'poor sick Jane and her husband,' as she observed in her reply to one who inquired if any of her 'people' were unwell. A portion of the dessert was also sent to another who was convalescent. Those who are not considered ill enough to be sent to the hospital, are permitted to remain in their houses or cabins, reporting themselves every evening at the 'great hus,' as they term the family mansion. The sombre procession alluded to above, which led to these remarks, consisted of a few of these invalids, who had appeared at the gallery to make their evening report. On being questioned as to their respective conditions, a scene ensues, that, to be appreciated, must be observed.

"'What ails you, Peter?' 'Mighty sick, master.' 'Show me your tongue:' and out, inch by inch, projects a long tongue, not unlike the sole of his shoe in size and colour, accompanied by a groan from the very pit of the stomach. If the negro is actually ill, suitable medicine is prescribed, which his master or the physician compels him to swallow in his presence. For, sick or well, and very fond of complaining, they will never take 'doctor's stuff,' as they term it, but, throwing it away as soon as they are out of sight, either go without any medicine, or take some concoction in repute among the old African beldames in the 'quarters,' by which they are sickened if well, and made worse if ill, and present themselves for inspection the next evening, by no means improved in health. They are fond of shamming, or 'skulking,' as sailors term it, and will often voluntarily expose themselves to sickness, in order to obtain exemption from labour."

Until very lately, the society, not only of Natchez, but of all the southwest, exhibited a lamentable disproportion between the two sexes. "How different," says our author, "from the land of 'steady habits,' where the prediction of seven women taking hold of one man, is literally fulfilled." This, of course, is the necessary condition of a new country; the stronger sex being foremost in emigration, and returning for helpmates only when tolerable quarters are prepared for them. What renders, however, the balance more difficult to be adjusted, is, the fact that the emigrating men acquire bachelor habits not easily

shuffled off, and speculations, segars, politics, and "clubs" expel the sweet thoughts of matrimony until increase of years finds them still less "studious of change." Besides, the "golden fleece" in the shape of a wife, lieth not at their doors, and they are compelled, Jason-like, to travel many a long mile for the treasure. It is not, too, every fair daughter of Eve who will brave the hardships of the west, or is disposed to lead the kind of life which is required of the sturdy pioneers of civilisation. This disproportion, however, is one that, every day, is becoming less and less, and will, doubtless, finally disappear altogether.

What, on the other hand, the females lack in numbers, they supply in quality. It is no less a truth than the one we have just stated, that the education, at least of the rising generation of women, is far superior to that of the men. It is mentioned by the writer, with respect to the latter, that many boys, whose parents reside on plantations, are suffered to grow up to the ages of eight or ten, unable either to read or write. Or even where more attention is paid to the culture of their minds, it is generally dispensed at the schools in the neighbourhood, while the daughters of almost all who can afford it, are sent to the Atlantic states for the greater advantages in this respect which they hold out. An unfortunate prejudice, too, prevails with many planters against giving their sons a classical education; deeming it unnecessary for the practical purposes of life, and unsuited to the retirement of a plantation. This is not the time or place to enlarge on a topic of so much interest, or we might easily show how an extended education contributes not only to the actual improvement of the mind, and its adaptation, too, to many even strictly practical pursuits, but offers a rich store of consolation and mental enjoyment in the shades of retirement, or under the pressure of adverse fortune. We are delighted to perceive that different and better views of what is due to the mental faculties of our race, are already prevalent with our western brethren, and that rising colleges, and well endowed universities, are beginning to dot the valley of the Mississippi, and to sow the seed of a rich harvest of after cultivation. The west is unquestionably large enough to contain within herself all that is requisite for the nurture and growth of science, literature, and religion, without looking to the eastern states for any supply of either. She is now, for the most part, a missionary land. We hope to behold her, even in our day, a great storehouse of all that can adorn and ennoble man.

We were prepared to discover the penal law of Mississippi standing in need of reformation. It would have been strange if that system, which requires deep reflection and philosophical

investigation to bring even to a tolerable standard of right, had been found matured in a new country. One crying evil, arising from its imperfection, has been already felt by our fellow citizens at the west, and will only be checked when public sentiment being improved, and the national sensibility awakened, penitentiary discipline, and penal law, shall receive the attention they deserve. We allude to "Lynch law"—the scandal of a civilised age; which has its root in those bad passions of human nature, that no laws can thoroughly eradicate.

With our author's few remarks upon this subject, we shall take our leave of him.

"Crossing Cotton square—the chief market place for cotton in the city—we in a few minutes entered upon the great northern road leading to Jackson, the capital of this state, and thence to Washington, the seat of the general government. Near the intersection of this road with the city streets, a sudden clanking of chains startled our horses, and the next instant a gang of negroes, in straggling procession, followed by an ordinary looking white man armed with a whip, emerged from one of the streets. Each negro carried slung over his shoulder a polished iron ball, apparently a twenty-four pounder, suspended by a heavy ox chain five or six feet in length, and secured to the right angle by a massive ring. They moved along under their burthen as though it were any thing but comfortable—some with idealess faces, looking the mere animal, others with sullen and dogged looks, and others again talking and laughing, as though 'Hymen's chains had bound them.' This galley-looking procession, whose tattered wardrobe seemed to have been stolen from a chimney-sweep, was what is very appropriately termed the 'chain-gang,' a fraternity well known in New Orleans and Natchez, and valued for its services in cleaning and repairing the streets. In the former city, however, there is one for whites as well as blacks, who may be known by their parti-coloured clothing. These gangs are merely moving penitentiaries, appropriating that amount of labour, which at the north is expended within four walls, to the broader limits of the city. In Natchez, negro criminals only are thus honoured—a 'coat of tar and feathers' being applied to those white men who may require some kind of discipline not provided by the courts of justice. This last summary process of popular justice, or more properly excitement, termed 'Lynch's law' I believe, from its originator, is too much in vogue in this state. In the resentment of public as well as private wrongs, individuals have long been in the habit of forestalling and improving upon the decisions of the courts, by taking the execution of the laws into their own hands. The consequence is, that the dignity of the bench is degraded, and justice is set aside for the exhibition of wild outbreaks of popular feeling. But this summary mode of procedure is now, to the honour of the south, rapidly falling into disuse, and men feel willing to yield to the dignity of the law and acquiesce in its decisions, even to the sacrifice of individual prejudices. That 'border' state of society from which the custom originated no longer exists here—and the causes having ceased which at first, in the absence of proper tribunals, may have rendered it perhaps necessary thus to administer justice, the effect will naturally cease also—and men will surrender the sword of justice to the public tribunals, erected by themselves.

"The want of a penitentiary has had a tendency to keep this custom

alive in this state longer than it would otherwise have existed. When an individual is guilty of any offence, which renders him amenable to the laws, he must either be acquitted altogether or suffer death. There is no intermediate mode of punishment, except the stocks, whipping, branding, and cropping—the last two are seldom resorted to now as legal punishments, and the others are regarded as too light an expiation for an offence which merited a seven years' imprisonment. Therefore when a criminal is acquitted, because his guilt is not quite sufficient to demand the sacrifice of his life, but enough to confine him to many years' hard labour in a state's prison—popular vengeance, if the nature of his guilt has enlisted the feelings of the multitude—immediately seizes upon him, and the poor wretch expiates his crime, by one of the most cruel systems of justice that human ingenuity has ever invented. When a criminal is here condemned to death, whose sentence in other states would have been confinement for a limited period, there is in public feeling sometimes a reaction, as singularly in the other extreme. Petitions for his pardon are circulated, and, with columns of names appended, presented to the governor, for here there can be no commutation of a sentence of death. There must be a free, unconditional pardon, or the scaffold. Sometimes a criminal under sentence of death is pardoned by the governor, thinking his crime not sufficiently aggravated to be atoned for by his life, which may often be the case in a state where eleven crimes are punishable with death.* In such instances the criminal, unless escorted beyond the reach of popular resentment, receives from the multitude a commutation of his sentence, which, through the tender mercies of his judges, is more dreadful than death itself. Death indeed has in two or three instances terminated the sufferings of these victims of public feeling; sometimes they have been placed upright in a skiff with their arms pinioned behind them, and a jug of whiskey placed at their feet, and thus thrown upon the mercy of the Mississippi, down which, under a burning sun, naked and bareheaded, they are borne, till rescued by some steamer, cast upon the inhospitable shores, or buried beneath the waves. This act, inhuman as it may appear, does not indicate a more barbarous or inhuman state of society than elsewhere. It is the consequence of a deficiency in the mode and means of punishment. Was there but one sentence passed upon all criminals in sober New England, and that sentence, death, humanity would lead to numerous acquittals and pardons; while popular feeling, when it felt itself injured, refusing to acquiesce in the total escape of the guilty, would take upon itself to inflict that punishment which the code had neglected to provide. A penitentiary in this state would at once do away this custom."

* The capital crimes of this state are, murder, arson, robbery, rape, burglary, stealing a slave, stealing or selling a free person for a slave, forgery, manslaughter, second offence—horse stealing, second offence—accessories, before the fact, to rape, arson, robbery, and burglary.

ART. III.—*A bill to authorise Limited Partnerships: reported to the House of Representatives of Pennsylvania, by Mr. J. B. SMITH: December 5th, 1835.*

A bill has been introduced into the Legislature of Pennsylvania to sanction the formation of "Limited Partnerships." In the present era of reform (so called) nothing can be regarded as entirely safe from the pruning knife wielded by innovating hands: and the law, therefore, venerable and cultivated as it is, must share the fate that falls even upon the Constitution. The present is the age of experiment; and men will scarcely be found, at any period, willing to admit the existence of aught in morals, government, or law, which they cannot make a little better. There are, however, over the civilised world, periodical returns of sedateness, when, tired with the turmoil of constant change,—the "rattle" affording no further pleasure, and the "straw" tickling but to tease,—people are disposed to recline upon the wisdom of their ancestors, and to receive, as possessing the tone of command, the whisper of *sic antiquitus usitatum*. Such a time, no doubt, will come in America; and happy will the generation be that beholds it, if no violent convulsion of the social fabric bear the experience along with it.

Let us not be misunderstood. We are far from being the opponents of reformation in general: reformation cautiously considered, and cautiously applied. But we are opposed to mere change, and the love of it as such; where the exigencies of society do not imperiously call for it. And we are further of the opinion, that if any people ever existed that less required change in any particular, it is the American people, whether in their general or state governments, or laws. Not that every thing in either is, in our judgment, perfect; but that all things are so perfect, that any alteration should be viewed with a jealous eye, and only admitted after a careful scrutiny.

One further general remark before discussing the particular subject before us.

We do not pretend to assimilate a mere change in the law to the adoption of revolutionary measures; or to rank the introduction of a novel principle in the legal system of partnership among the worst features of these changing times. We, however, look upon it as an index of the spirit that is abroad, and as such lay our hands upon it. Again; there is nothing more pernicious in its results than the tampering with settled principles of law by those who are unskilled in the mysteries of the science, and who attempt to mend what is really not out of order; and the subsequent disorder of which may be fairly attributed to the unskilful tinkering of a soi-disant reformer. The ultimate results of an alteration in a legal principle which,

has been established for centuries, and whose ramifications are beyond the ken even of the professors of the science, cannot be anticipated by any ; and cautious jurists, therefore, remove with hesitation, approaching almost to dread, a single brick of the old edifice, lest a foundation stone being moved, the whole pile be shaken.

To understand clearly the new provisions which it is in contemplation to introduce into this branch of our jurisprudence, we shall present a general outline of the existing law of partnership, so far as respects the rights and liabilities of the members of the firm. This we undertake for those of our readers who are not lawyers ; for the latter the abstract will not be necessary.

The essence of a partnership is a community of profit and loss in the business for which the association is formed. Whenever two or more persons carry on any particular trade, or unite for the prosecution of any one object of trade, if the profit and loss of the particular adventure or the general business, (as the case may be,) are to be divided between those engaged in it, (whether equally or not is unimportant,) a partnership in the eye of the law is formed between such persons, whether this be stipulated by the parties themselves or not. Thus it will be seen, that these contracts may be created, either expressly by the parties, or for them by the law. In the latter case, however, it is only so far as respects third persons that people are constituted partners against their consent. The reason of this rule of law (seemingly harsh) is well founded. A community of profit and loss interests one in the whole and every part of an adventure. Until the accounts of the transaction are closed, it cannot be ascertained whether profit or loss has resulted ; but when this is done, if the experiment have proved unfortunate, it is but fair that he who was to share in the expected profit, should be liable, with the rest, to the burden ; and if the reverse have occurred and the fates have been propitious, the whole expenses are, of course, first deducted, and the surplus merely distributed : thereby identifying the interests of each one with his associates and with the entire result of the operation. Whatever, therefore, may be the private arrangement between them as to a division of the gain, or a partition of the responsibilities, the world can and should only regard them as equally liable for all claims against the association, because all are, as we have seen, interested alike in the winding up of the business. To lay down any adverse rule, or to assume any middle ground, based upon the voluntary arrangements of the parties to the contract, over which the world has no control, and of which it is, in most cases, ignorant, would be at once to subject the rights of creditors to the

caprices, nay the selfish or fraudulent combinations of others. The good old common law of England adopted principles a little more in unison with the interests of commerce and the dictates of common sense.

As a result then from this community of profit and loss, the responsibilities and liabilities of partners necessarily flow. The debts of the partnership are equally binding upon all the members of the firm; all are parties to the contracts from which they arise, and all have an equal chance of benefit from them. By taking a portion of the profits, any one of the association subtracts from that fund which ought to be applied in the first place to the debts of the company.

This rule of law is not, then, a mere positive institution, unsupported by reason or founded on local or partial views, but recommended by the highest dictates of general policy, and framed with a direct reference to the best interests of commerce.

It is a mere corollary therefore from this, or rather a stating of the proposition in other words, to say that the whole firm is bound by the acts of any one partner in and about the business of the partnership. Each one is possessed (as the lawyers term it, in barbarous law French) *per my et per tout*, that is, each one is interested in and has a title to the whole and every part of the partnership effects; and may dispose of them in the usual course of business, in the name of the firm, for partnership purposes. This also is perfectly essential to the life of trade. The partners have associated, under a common and assumed name, in the pursuits of trade. By that appellation and not by their individual names are they known to the community. The name of the firm is that which gives validity to transactions in which it is concerned. It is the seal to its instruments of writing. Of this name, then, as of the rest of the partnership effects, each partner has the control. If the actual presence of each member of the firm were required when the name of the association was used, a stop would shortly be put to all mercantile transactions, for all their activity would be paralysed. As it would be impossible for third persons to know of the presence or absence of all the members when the name of their firm is employed, and of course, constant uncertainty would hang over commercial instruments, the law presumes, from the use of the name by one, the presence of the others, or in other words, authorises such use. There is and there can be no middle ground in this.

Dormant partners are persons equally interested with the active partners in the profits and loss of the business, but who are not known to the world to be so. Their names do not appear in the transactions of the firm, and they take no active

part in its negotiations. These partners, when discovered, are equally liable with the active partners to the debts of the concern, for the reason we have before discussed, viz: principles of public policy; inasmuch as, sharing in the profits, they detract from the partnership property the primary fund for the discharge of its liabilities. Dormant partners are not responsible on the ground of their names forming any part of the consideration for entering into the contract, as they are, by the supposition, unknown at the time of its being formed; but solely for the reason we have mentioned.

A partnership is, therefore, an association to prosecute some lawful trade or business, with the advantages of combined capital and combined effort; and the consequent and fair responsibility of each member of the association for the debts of the firm. They are, in some measure, quasi corporations, having a particular name and distinct property, though endowed with none of the prerogatives which exempt the members of corporations and their separate estates from liability. To prohibit them would be permanently injurious to commerce; but to endow them with special immunities would, we think, produce the same result. What the new provisions are, which it is intended to engraft upon the law of partnership in Pennsylvania, we shall presently see. In the meantime, we will take a hasty glance at the law upon this subject elsewhere.

The law of England—the princess of commercial countries—has always rejected the innovation of a restricted responsibility in partnerships. No one, we presume, will deny the supremacy of her trade—the perfection of her mercantile law—the active circulation of her wealth—the eminent station of her bankers and merchants. We should suppose there was, in that country, but little complaint in regard to dormant or idle capital; and that there no anxious crowd of profitless subjects with full coffers stood, eager, but afraid, to enter the arena of business unless invited by the inducement of special immunities. There may be a few, desirous of buying a ticket in a great commercial lottery, where the prospect of a rich prize in the shape of high profits may tempt them to embark in a speculation where the only risk is the price of the ticket; viz. the capital they contribute. But to such the law of England wishes to tender no encouragement. Neither would we.

The introduction of these limited partnerships into England, under the style of “Joint Stock Companies” has been more than once attempted, but, in their full extent, as we have said, uniformly and successfully resisted. Until the 6th year of the late king, the power of licensing these associations was vested in parliament alone; which confined itself to the granting of regular acts of incorporation; an authority, (except in special

cases, and then under the provisions of acts of assembly,) exercised in these states by the legislature. In the 6th year of the reign of George IV. (1825) the crown was empowered to grant charters of incorporation, by which the members of the corporate bodies may be made individually liable to such extent, and subject to such regulations and restrictions, as the king may deem expedient. It will be seen, therefore, that instead of opening the door still wider to associations of individuals with restricted liability, the legislature of that great commercial country has thought it expedient to confine the creation and privileges of these societies within narrower limits.

We will now turn, for a few moments, to the law of the continent of Europe.

In many parts of Europe, it is true that these limited partnerships are admitted. It is a provision, in all those countries, of this species of contract, that the names of the parties and the character of the business should be entered on a registry. Whether or not the regulations of those states contain the clauses which we shall presently notice in the law of France, we are unable to state, nor is it very important.

In France, the law of partnership forms an important chapter in her commercial code. It is known, that the great mind of her late imperial ruler was earnestly directed to the revision and codification of her system of laws. If ever any country, from the diversity of local customs and provincial laws, required such a measure, it was France; and the work was performed in a mode that has entwined around the brows of Napoleon one of his greenest laurels. The subject of partnership, so far as it commands our attention at present, is thus regulated by the *Code de Commerce* and the *Code Civil*:—

By the civil code, (Tit. 9, ch. 1, No. 1832,) partnership is defined to be a contract by which two or more persons agree to put any thing (whether money, goods, or labour) into a common stock, with a view of dividing the benefits which may result from it. The broad division of the contract is into *universal* and *particular* partnerships. The former are again subdivided into partnerships of *present goods* and *future acquisitions*, and of *future profits* alone. These terms explain themselves; the word "*goods*," embracing what we call real as well as personal estate. The particular limitations and qualifications of these contracts, it is aside our purpose to consider.

Particular partnerships have reference to certain determinate objects, and to the advantages to result from them; and agree in this respect with those in use in England and America.

There is in the law of France an important distinction between partnerships for strictly commercial purposes, and others,

which does not obtain here. It is a general rule, that in the latter, the partners are not bound absolutely (or *in solidum*, as the lawyers say) for the debts of the firm; neither can one partner bind his associates without their express authority. Each partner is bound, as respects creditors, for an equal proportion of the debts, though even this may be qualified by the articles of copartnership. By our law, no distinction is made between partnerships for different objects, all being considered as commercial operations.

Partnerships of commerce are subdivided as follows :

1. Partnerships *en nom collectif*, (or, *under the name of a firm*,) the ordinary mode of carrying on business by two or more in the United States and England.

2. Partnerships *en commandite*, or "*limited partnerships*;" and

3. Partnership *anonyme*—which is neither distinguished by a *social* name, or by that of any of its members; but is entitled or described by the designation of the object of the enterprise. Associations of this description correspond with our chartered companies; they require in France as here, the authorisation of the government.

There is still another kind to be noticed: commercial associations, *en participation*. They relate to one or more *operations of commerce*; that is, as we understand it, particular transactions; and are regulated according to the agreements of the parties as regards objects, forms and proportions of interest in each association; not being subject to the formalities prescribed for other partnerships.

We now return to the *sociétés en commandite*, being those which at present we are more particularly engaged with. (They were first established in France by the ordinance of 1673.)

Every merchant is obliged to keep a journal which exhibits, from day to day, his debts and credits; his operations of business; his negotiations; his acceptances or endorsements; and generally, whatever he receives and pays. It must also state the monthly expenses of his housekeeping. He must keep on file the letters he receives, and retain copies of those he sends. He must preserve, in his own handwriting, an inventory, yearly, of all his effects, movable and immovable, and of his debts and credits. This, and the journal, must be revised by him once during the year. The books must be preserved by the merchant for the space of ten years, and are to be examined either by a judge of the tribunal de commerce or by the mayor or an assistant.

The *société en commandite* consists of one or more absolutely responsible (or as we should say, general) partners, and one or more simple lenders of capital; viz. limited partners. The association is ruled under a *social* name, which is necessarily

the name of one or more of the general partners ; that of the partner *en commandite* forming no part of it. He can do no act nor be employed about the business of the firm, even as an attorney, in fact. If he do, he is transmuted into a general partner. His responsibility, unless changed as a result of some illegal conduct, is limited to the amount of capital he advances or is bound to advance. The capital *commanditory* stock may be divided into shares of stock—the holders of these are called *actionnaires*.

A copy of the articles of copartnership must be transmitted within a fortnight of their formation, to the register of the tribunal of commerce of the *arrondissement* in which the counting-house is situated, in order to be entered of record, and affixed, for three months, in a conspicuous place in the public court-house. The non-observance of these formalities is punished by the articles of association being declared void as respects the defaulters ; they, of course, not being allowed to set up their own neglect as a defence against third persons.

The extract must contain:—1. The names, titles, and residences of the partners, *other than the actionaries or commanditaries*.—2. The commercial object of the firm.—3. The designation of those of the partners who are authorised to manage the business, and sign for the firm.—4. The total of capital furnished, or to be furnished, as actionary or commanditary capital ; and 5. The epochs both of the commencement and the termination of the business.

All changes in the firm, or continuations beyond the limited period, must be registered in like manner.

We will now turn to the check which the government exerts over these associations, when the reason for some regulations we have stated will be sufficiently obvious.

Every merchant who stops his payments, is pronounced to have *failed*. He becomes a *bankrupt* if he renders himself amenable to the law either by an omission of what, upon that contingency, he is bound to do ; or by the commission of some other matter, pointed out in the code. He is declared either a *simple* or a *fraudulent* bankrupt, according to circumstances. Having failed, the merchant is bound to communicate the fact to the register of the tribunal of commerce ; which tribunal fixes the date of the failure ; and as a general rule, it may be stated, that all acts of the merchant, within ten days before that period, are void,—so are all acts or payments in fraud of creditors.

Upon inspection of the books by the judges, the merchant is pronounced a *simple* bankrupt, if, among other things, (we give it as an instance,) *the expenses of his housekeeping are judged excessive*—or he has lost sums at play or in operations of pure

hazard;—the punishment of simple bankruptcy is imprisonment, not less than a month nor more than two years. He is a *fraudulent* bankrupt if he has inserted in his accounts fictitious expenses or losses, or cannot explain the disbursement of all his receipts. Again, if he has kept no books, or has concealed or falsified those he has, the punishment of fraudulent bankruptcy is, among other things, imprisonment at hard labour.

Upon failure or bankruptcy, the heavy hands of the officers of justice are laid upon the business of the firm,—how effectually to wind up their concerns, we need not say; the details would carry us too far from our topic.

The case then, in France, stands thus: the general capital of the partnership (or that which the active partners themselves have) is known from their own books; the capital *en commandite* is stated in the registry: the whole trading capital of the association therefore is familiar to the public. *No false credit is obtained upon the names of the limited partners*, for they are not inserted in the register. Every opportunity of wild and thoughtless expenditure and speculation is removed by the vigilant supervision of the government: and the terrors of the “*travaux forcés*” in the back ground of the picture offer a spectacle to the eyes of the trader to which the mere whitewashing and purgation of our insolvent laws appear a paradise.

Now the French system must be viewed as a whole. It is a unique code; and its benefits can only be felt or appreciated by its adoption altogether. It will not do to carve out a portion, separate from that which gives it life and vigour, and engraft it upon a trunk altogether unsuited for such a union.

We have been thus particular in our statement of the French law, as it is the parent of the illegitimate progeny which it is wished to naturalise in America. The information, too, may not be unacceptable at this moment.

In Louisiana, whose civil code has, as might have been anticipated, closely followed the Code Napoléon, it is adopted under the title of partnership *in commendam*. (Civil code of Louisiana, Art. 2810.)

The only state that we know of in our Union which has, so far, admitted the doctrine, is the state of New York: an example, undoubtedly, of great authority, but not sufficient to outweigh reason and general principles. The provisions of the New York statute are, in all essential particulars, the same with those of the Code de Commerce.

The plan which has been submitted to the wisdom of our legislature, we shall now notice. Though of considerable length, it is our purpose to give it *in extenso*, as its importance would seem to require it, and, by so doing, our remarks upon it will be the better understood. It is in these words:

"Section 1. Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania in general assembly met, and it is hereby enacted by the authority of the same, That limited partnerships for the transaction of any mercantile, mechanical, or manufacturing business within this state, may be formed by two or more persons upon the terms, with the rights and powers, and subject to the conditions and liabilities, herein prescribed. But the provisions of this act shall not be construed to authorise any such partnership for the purpose of banking or making insurance.

"Section 2. Such partnerships may consist of one or more persons who shall be called general partners, and who shall be jointly and severally responsible as general partners now are by law, and of one or more persons who shall contribute, in actual cash payments, a specific sum as capital to the common stock, who shall be called special partners, and who shall not be liable for the debts of the partnership beyond the fund so contributed by him or them to the capital.

"Section 3. The general partners only shall be authorised to transact business and sign for the partnership, and to bind the same.

"Section 4. The persons desirous of forming such partnerships shall make and severally sign a certificate which shall contain,

"I. The name or firm under which such partnership is to be conducted.

"II. The general nature of the business intended to be transacted.

"III. The names of all the general and special partners interested therein, distinguishing which are general and which are special partners, and their respective places of residence.

"IV. The amount of capital which each special partner shall have contributed to the common stock.

"V. The period at which the partnership is to commence, and the period at which it will terminate.

"Section 5. The certificate shall be acknowledged by the several persons signing the same in the manner and before the same persons that deeds are now acknowledged, and such acknowledgment shall be certified in the same manner as the acknowledgment of deeds is now certified.

"Section 6. The certificate, so acknowledged and certified, shall be recorded and filed in the office of the recorder of deeds of the proper county, in which the principal place of business of the partnership shall be situated, and shall also be recorded by him at large in a book to be kept for that purpose open to public inspection. If the partnership shall have places of business situated in different counties, a transcript of the certificate and of the acknowledgment thereof duly certified by the recorder, in whose office it shall be filed and under his official seal, shall be filed and recorded in like manner in the office of the recorder of every such county.

"Section 7. At the time of filing the original certificate with the evidence of the acknowledgment thereof, as before directed, an affidavit of one or more of the general partners shall also be filed in the same office, stating the sums specified in the certificate to have been contributed by each of the special partners to the common stock and to have been actually and in good faith paid in cash.

"Section 8. No such partnership shall be deemed to have been formed until a certificate shall have been made, acknowledged, and filed and recorded, nor until an affidavit shall have been filed as above directed; and if any false statement be made in such certificate or affidavit, all the persons interested in such partnership shall be liable for all the engagements thereof as general partners.

"Section 9. The partners shall publish the terms of the partnership when registered, for at least six weeks immediately after such registry, in two newspapers to be designated by the recorder of deeds of the county in which such registry shall be made, and to be published in the senate district in which their business shall be carried on, and if such publication be not made the partnership shall be deemed general.

"Section 10. Affidavits of the publication of such notice by the printers of the newspapers in which the same shall be published, may be filed with the recorder directing the same, and shall be evidence of the facts therein contained.

"Section 11. Every renewal or continuance of such partnership beyond the time originally fixed for its duration, shall be certified, acknowledged, and recorded, and an affidavit of a general partner be made and filed, and notice be given in the manner herein required for its original formation, and every such partnership which shall be otherwise renewed or continued, shall be deemed a general partnership.

"Section 12. Every alteration which shall be made in the names of the partners, in the nature of the business or in the capital or shares thereof, or in any other matter specified in the original certificate, shall be deemed a dissolution of the partnership; and every such partnership which shall in any manner be carried on after such alteration shall have been made, shall be deemed a general partnership, unless renewed as a special partnership according to the provisions of the last section.

"Section 13. The business of the partnership shall be conducted under a firm in which the names of the general partners only shall be inserted, without the addition of the word Company, or any other general term, and if the name of any special partner shall be used in such firm with his privity he shall be deemed a general partner.

"Section 14. Suits in relation to the business of the partnership may be brought and conducted by and against the general partners in the same manner as if there were no special partners.

"Section 15. No part of the sum which any special partner shall have contributed to the capital stock shall be liable for any debts previously contracted by the general partners, nor shall any part of such sum be withdrawn by him, or paid or transferred to him, in the shape of dividends, profits or otherwise, at any time during the continuance of the partnership. But any partner may annually receive lawful interest on the sum so contributed by him, if the payment of such interest shall not reduce the original amount of such capital, and if, after the payment of such interest any profits shall remain to be divided, he may also receive his portion of such profits.

"Section 16. If it shall appear that by the payment of interest or profits to any special partner the original capital has been reduced, the partner receiving the same shall be bound to restore the amount necessary to make good his share of capital with interest.

"Section 17. A special partner may from time to time examine into the state and progress of the partnership concerns, and may advise as to their management, but he shall not transact any business on account of the partnership, nor be employed for that purpose as agent, attorney, or otherwise. If he shall interfere contrary to these provisions he shall be deemed a general partner.

"Section 18. The general partners shall be liable to account to each other and to the special partners for management of their concern, as other partners now are by law.

"Section 19. Every partner who shall be guilty of any fraud in the affairs of the partnership shall be liable civilly to the party injured to the

extent of his damage, and shall also be liable to an indictment for a misdemeanor punishable by fine or imprisonment, or both, at the discretion of the court by which he shall be tried.

"Section 20. Every sale, assignment, or transfer of any of the property or effects of such partnership, made by such partnership when insolvent, or in contemplation of insolvency, or after, or in contemplation of the insolvency of any partner with the intent of giving a preference to any creditor of such partnership, or insolvent partner over other creditors of such partnership, and every judgment confessed, lien created, or security given by such partnership, under like circumstances, and with like intent, shall be void as against the creditors of the partnership.

"Section 21. Every such sale, assignment, or transfer of any of the property or effects of the general or special partner made by such general or special partner when insolvent or in contemplation of insolvency, or after, or in contemplation of the insolvency of the partnership, with the intent of giving to any creditor of his own, or of the partnership, a preference over creditors of the partnership, and every judgment confessed, lien created, or security given, by any such partner under the like circumstances, and with the like intent, shall be void as against the creditors of the partnership.

"Section 22. Every special partner who shall violate any provision of the two last preceding sections, or who shall concur in, or assent to any such violation by the partnership, or by any individual partner, shall be liable as a general partner.

"Section 23. In case of the insolvency or bankruptcy of the partnership, no special partner shall, under any circumstances, be allowed to claim as a creditor until the claims of all the other creditors of the partnership shall be satisfied.

"Section 24. No dissolution of such partnership by the acts of the parties shall take place previous to the time specified in the certificate of its formation or in the certificate of its renewal, until a notice of such dissolution shall have been filed and recorded in the recorder's office, in which the original certificate was recorded and published once in each week for four weeks, in a newspaper printed in each of the counties where the partnership may have places of business."

It will be at once perceived by those who have attended to the French law, that this is modeled upon that law; and in most of the sections follows it closely. The first section extends the plan to mechanical and manufacturing business, excluding banking and making insurance, while the partnership *en commandite* is strictly commercial. Besides France, those who drafted the bill having the example of Louisiana and New York before them, it may be considered as embodying all the collected wisdom upon the subject. How perfect that wisdom is, we shall have an opportunity of seeing presently.

Our objections to the bill are two-fold.

1. To the details of the measure; and 2. To the reasons on which the bill is founded.

As to the first:

The details of the measure are complex and uncertain. Litigation, increased litigation, will be the inevitable result.

That this is an evil of great magnitude (to some extent, indeed, necessary) no one acquainted with our courts of law will deny ; and it is, moreover, one which we think even no professional man, however strong his prejudices, would contest. The kind of litigation, also, that would be fostered, is of the most perplexing kind ; that between partners, or between third persons and the members of the firm, in relation to partnership accounts and transactions. We have not in Pennsylvania the court, which, by its constitution and modes of practice, is most appropriate to the settlement of such contests ; we mean a court of chancery ; and we are not prepared to give occasion for the establishment of one.

All this, though not perhaps immediately, would be permanently injurious to the interests of commerce. Uncertainty and doubt, are the bane of commercial engagements ; when they operate to shake credit, they are destructive.

For proof of these positions, let us turn to the proposed bill.

The first section constitutes, and the second defines this hermaphroditical creature. There are to be certain persons, responsible without limitation ; that is, as the thing will practically operate, having no capital of their own, and of course, no real responsibility—and certain others, who are to be responsible just so far as they choose, that is, to the extent of the funds they may invest in the concern. This limited responsibility, however, is uncertain from the very commencement.

Accompanying the certificate of partnership is also to be filed an affidavit of one of the general partners, stating that the sums (which the certificate represents as *commanditary capital*,) have been contributed by the special partner and actually paid. If it shall appear—at any time—that such certificate or affidavit contain any false statement, the limited partner is at once metamorphosed into a general partner, and shall be liable for the engagements of the partnership accordingly. Again :—The terms of the partnership are to be published, for at least six weeks after the registry, in two newspapers to be designated by the recorder of deeds of the county, and to be published in the senatorial district. If these terms are not so published, for the full and exact length of time, in the prescribed number of newspapers, and those designated by the recorder, (qu.? if he designate none,) and in the senatorial district too, the same transmutation is effected.

So, again, of the renewal or continuance of a partnership beyond the time originally limited—the like formalities are required to be pursued with the same exactness ; otherwise the same results are produced.

Any alteration in the names of the partners, in the nature of the business, or in any other matter specified in the original

certificate, works a dissolution—and the carrying on of the partnership, in *any manner*, after that event, makes them all general partners, unless there is a renewal in the manner before specified. If the name of the special partner shall be used in the firm with his privity—if he shall transact any business for the firm, or interfere at all, except to advise—or, finally, if he shall concur in or assent to any violation of the law in regard to preferences to creditors—in each of these cases, he is to be regarded as an unlimited or general partner.

How are these different facts to be ascertained? either voluntarily, by the admission of the special partner himself, or by suit at law. The first would hardly be expected from any man; therefore, the bill presents here one fruitful source of litigation. But there are others behind.

Turn to the 14th section. Suits are to be brought by and against the general partners, as if there were no special partners. This would be plain enough, if there were no contingencies upon which the special partners were to lose their characters as such. But suppose the happening of any one of these contingencies and the transformation accordingly, must they all join in the suit and all be sued, or only the original general partners? or may the former special partners be sued alone? if so, must the *declaration* against them be *special*? can the general partners plead the non-joinder in *abatement*? We address ourselves here more to professional men than to others, as they will perceive the full force of the questions, though the answers are more interesting to their clients than to them.

Again, suppose the fact to be, (which is very possible,) that the superadded liability of the special partner is unknown to the creditor at the time of commencing his suit. Does the fact of having brought suit against the others bar proceedings against him? Or will both suits lie? and if so, and the creditor obtain two judgments, and issue two executions, as would seem to be a necessary consequence, to what property shall each be confined?

Further; is a strict and literal compliance with the requisitions of the act necessary? or will principles of equity be called in to relieve against penalties consequent upon a non-compliance? Many events might be supposed which would make it unconscionable to enforce the letter of the law against the special partner. Have our courts the equitable powers to remedy this? or, as a question of general policy, would it be desirable? Again, look at the 22d section. If any special partner shall "concur in or assent to" any violation of the act, he shall be liable as a general partner. Can any thing be more loose? At what time must the assent be given; before or after the act done? What effect will such assent produce

upon suits brought against the general partners alone, before such assent? or what will be construed such assent? Are the rights of creditors to depend upon uncertain deductions from equivocal facts?

But we have not yet done with the list of uncertainties. The 15th and 16th sections are replete with them.

The first says:—No part of the special partner's capital shall be liable to previous debts of the firm. How distinguish that capital? Let us put a case. A and B have carried on business as partners and have contracted debts. They enter into a new arrangement with C, as special partner under the new act. He advances money; and they buy goods. An old creditor, seeing them in possession of property, issues his execution and levies on these goods; or it may be, upon goods which have resulted remotely from the first stock of goods purchased with the limited partner's funds. In what way, under our common law proceedings, is the law to be enforced? The execution of the goods must either go on—the goods be sold—the business injured, and the law violated; or, to prevent this; the *whole operations of the firm must be stopped, until the facts are ascertained by a tedious investigation* (for important allegations like these must be proved to the satisfaction of the court; they cannot be taken for granted,) and these *limited* partnerships will well deserve their designation, for they will scarcely breathe before they perish.

When a partnership is ended and the funds in the hands of the law, the process is a very simple one. The court, through the agency of an auditor, or an examiner or a master, investigates facts and marshals the assets (or, in popular language, distributes the funds) accordingly. So, the result may be reached by a proceeding in a court of chancery, which, it is well known, we are without in Pennsylvania. But the object of the law is, certainly, neither to throw firms into chancery, nor to induce a speedy shipwreck of their funds by means of common law executions.

But, the section proceeds:—no part of his capital shall be withdrawn by such special partner, either directly or by means of dividends or otherwise, during the partnership. The law is not intended to be a dead letter, we suppose; how then prevent this? how even know it? Is there to be established any such *surveillance* as we have seen to exist in France? Are the judges of our courts or the mayor of our city to investigate our merchants' books? Is there any thing more illusory than profits, any thing more difficult to be ascertained? A firm may have thousands in the shape of profits on its books and yet be insolvent. But if the partner does withdraw his capital, how is he to be reached? This is touched upon in the 16th section. We

shall turn to it in a moment. The 15th proceeds: (in a sort of saving clause of the rights of special partners,) he may withdraw the interest upon his capital; and if the payment of such interest does not reduce the original amount of the capital furnished by him, and there is any surplus, he may take that also in the name of profits. Interest, we know, is calculated annually; in fact, the act expressly authorises this annual subtraction of interest; how then will the partner know whether he intrenches upon the capital or not? Will every year balance itself? or is the statement, *on the face of the books*, of profits, to make all right? This we have said to be no criterion.

The spirit of the whole clause is deceptive. It holds out the "word of promise" to the ears of creditors, but may "break it to their hopes." In practice, it assuredly will.

But the 16th section, it is thought, will remedy this—let us see. "*If it shall appear*," that by the payment of profits or interest to any special partner, the original capital has been reduced, he shall restore the deficiency, with interest. "*If it shall appear*." When? No time is mentioned. We take it for granted, that the answer is, at any time. What is right at the time it is done, may be made wrong afterwards, by after circumstances. The special partner must be constantly on the look out, to keep up his capital to a certain point. He will never know whether it is at this point, or not—or whether it will continue so. By the innocent subtraction of interest even, he may be defrauding creditors, and render himself liable to an action. But who is to bring that action? The general partners? how can they bring an action to recover back money they allowed him to take—which they actually paid him—and which was apparently his right at the time? They may not choose to sue—or some disability may prevent them. Shall the creditors sue? If so, all of them—or some of them—or every of them? What kind of action? A special declaration would be required, which would puzzle many a special pleader. But what is the creditor to recover? What is the deficiency of capital? and what the proportion, which is the due of each creditor? These must be ascertained:—can they be ascertained in the particular trial? certainly not. Must the creditor wait till they are ascertained? When may that be? and how? Difficulties—inextricable difficulties—surround these questions. With a single additional remark, we shall close this rapid examination of the details of the measure.

It is provided by the last section, that no dissolution shall take place by the acts of the parties, previously to the time specified in the certificate filed, until a notice thereof shall have been filed in the same office, and published for four weeks in

a newspaper of the county where the business is transacted. Now, the object of keeping people together for four weeks after they have determined to part, and to render them amenable during that time for each other's acts, we do not see. It may be thought advisable to prevent a dissolution, without previous notice of the intention, although we do not perceive its necessity. It has, however, nothing particularly to do with the matter in hand, any more than the 19th, 20th, and 21st sections, which introduce some new and important doctrines into the law of preferences, about which different opinions may be entertained, and which we have not time now to discuss. They may have been thrown in as a sort of makeweight to what was thought deficient without them; and may be very good in themselves, though they have no particular connection with limited partnerships.

We have thus stated, interrogatively, our chief objections to the details of this measure. The answers to them we will leave our readers to propound. It would exceed the limits we have assigned ourselves, to consider them more in detail. To us, with our present legal system, (which we do not think it desirable to change) the difficulties in the way appear insurmountable. Let it not be thought that we have been technically captious with the phraseology of the proposed law. On the contrary, we doubt whether it could be made better; as we are convinced that upon consideration it will be found that the intricacies and obstacles are *inherent in the subject*. No legislation can eradicate them. Litigation is written upon every section of the bill. A thousand embryo lawsuits, if it pass, will one day swell the dockets of our courts. This may be of immediate benefit to the members of the bar, but nothing which injures the community generally can be long profitable even to them.

If, however, the plan could be so modified as to evade the difficulties we have endeavoured to point out, still we should oppose the measure, because we hold it to be contrary to the reason and life of the law of partnership, and to be unfair, unequal and unjust in its operation. Let us consider it, for a few moments, in these points of view.

We have before alluded to the principle upon which the responsibility of all the partners is based. The contract is such, that it is impossible to separate the interest of one from that of the rest; to guaranty to him, during the flood of successful commercial exertion, a rich cargo of return upon a, perhaps, small capital; but in the ebb tide, when the tempest too, is abroad, to allow him to screen himself from injury, and let it fall upon the innocent creditor. It will be impossible, we say, to do this without introducing principles very much at

variance with those which regulate other contracts in this country between man and man. The delusion is, in supposing that the original capital always remains to meet losses, and that this is all that justice requires. But what is more deceptive than profits, or harder to be ascertained? We wish not to repeat here what we advanced under the first head; but it would seem to us that nothing is clearer than that the *commanditary* will have it in his power to withdraw gradually *all his capital* in the shape of *profits*, and leave the *debts* of the firm upon the world. This might be done even innocently on the part of the special partner.

But can any thing be more striking than the disproportion between the advantages and the risks? between the chance of high profits in wild, or even moderate speculation, and the responsibility incurred? Why vest *commanditaries* with these special immunities? why make them in fact *bankers*; enabling them to trade, by means of their agents, to any extent, upon a limited capital, and issue their notes (for such is substantially the case) without restriction, and draw drafts to any amount, upon the credulity of mankind? Is there any other class of our citizens who can do this? any others who are not compelled to pay their debts? Is the rage for corporations so great that the legislature feels itself called upon thus to charter, by the wholesale, all who, without energy themselves to enter upon the stormy sea of speculation, merely "cast their bread upon the waters," assured that it will return to them after many days? That special partners are *quasi* corporations is very clear. There is no limit to the amount of their profits, and there is no risk or liability on their behalf beyond the funds contributed. We would ask, if there is any work of public utility to be accomplished which individual enterprise could not effect in the ordinary way: any great highway to be constructed: any arm of the national defence to be strengthened: any seminary for the dissemination of learning or religion to be founded: any thing, in short, which in the ultimate benefit to be derived by the whole community, warrants an interference with the equality of rights and privileges in our country, by the grant of special immunities? We answer, no; on the contrary, that the whole scope of the measure is to authorise the safe investment of capital by those who, not content with the usual rate paid for their money, wish a way chalked out for the employment of their funds, which may benefit them, but will confer no correspondent advantage upon the rest of their fellow citizens. We hold that these special grants of favour, where not invoked by considerations of permanent utility to the community which cannot be realised in any other way, are irreconcilable with the principles of our social institutions.

If trading were restricted to the actual capital in hand, the proposed plan would be less objectionable. There would be a basis, which, under ordinary circumstances, would be sufficient to discharge all debts connected with it. But in the present state of the world, this is impossible. The credit system is the food of commerce. There is no trade without it. There could be none but actual barter. We must take the world as we find it. The general partners start, it may be presumed, without capital of their own; otherwise they would not desire to borrow. Probably, with as little credit. *The capitalist or commanditary gives them credit.* They launch out boldly into business. It is impossible for those who deal with them, to square their contracts by the exact measure of the trader's real responsibility. They cannot stop to make this enquiry. Credit is expansive, delusive, and unsubstantial. "A breath can mar it, as a breath has made." The active partner cares but little as he has nothing to lose. The capitalist's responsibility is limited. Over the operations, too, of the partnership, he has no control. If the business have continued any length of time, and in the outset have produced large returns, the commanditary may have withdrawn his capital, as we have shown is quite possible, under the guise of profits. There exists no check, as in France, upon commercial hazard or wasteful expense. The firm breaks; the debts are bequeathed as a precious legacy to the world; the creditors, who were attracted by false colours, and dazzled by the appearance of profusion and high profits, lose, it may be, the earnings of hard and honest industry; while he who gave this fatal credit to his partners throws away, it is true, the amount of his deposit, but one which has been previously trebly repaid him in this, to him alone profitable concern.

We hold that all systems that tend to raise the airy edifice of credit upon an unreal basis are eminently pernicious. Incorporated institutions which have general rules for their guidance; which are the mere creatures of the legislative authority; which have their being from its breath that limits both their duration and their power; subject to its visitation, and liable to forfeiture for the abuse of their immunities; which have, moreover, the specious excuse of general public improvement for their creation—these, we say, may claim some equity, if not more reason, for their support. But the unnatural, uncontrollable bantlings we have been considering, who owe no allegiance to their social parents, but rear their aristocratic heads in all the pride of irresponsibility, are the diseased creations of uneasy visionaries, or the baneful products of calculating selfishness.

The only check upon associations of the kind; a check more

operative even than the visitatorial power of the legislature ; is the responsibility which the law now throws upon all the partners. This check offers no restraint to legitimate enterprise ; it throws no damp upon proper commercial speculation ; it fosters the freedom of trade. While it would be abhorrent to the genius of all our institutions and laws, to countenance an inquisition into the private affairs of any of our citizens ; yet, on the other hand, it is clearly our duty to abstain from any course of legislation which would either minister to the diseased appetite for speculative experiment, already too craving, or offer further excuses for the inroads of the spirit of irresponsibility.

One additional view of this subject, and we have done. Every capitalist can get the legitimate value of his capital, invested in good security. Interest is always within his reach. The interest which the law accords to him is the proper measure of this value. It is the current rate. To recover this, she offers him her courts of justice, with judges, and juries, and all the other attendants at her altars—free of expense to him, except in common with his fellow citizens. In doing this, the law does all that is, in any degree, requisite ; to do more would be improper. If his grasping desires are not yet satisfied, and he would have the bonus which the spirit of equity forbids—when he would extort it from the needy or unfortunate—let it be obtained, if he can obtain it, at his own risk. It is enough to throw open the door and say,—“ behold the tempting profits which enterprise and speculation extend towards you. It is lawful for you to enter upon the search. If while quietly reposing at home you take naught but the moderate yet certain fruits of your wealth, we will secure it to you. But when you would aim at more, you must put your own property, your own credit, your own responsibility at hazard.”

If, however, the profits spoken of were so very tempting, there would be found an abundance of persons to take the risk, even as the law now stands. It has been and is the case in England. It has been our experience in this country. We therefore strongly doubt the assertion. We should rather say, that no fair business, as a general rule, will yield more than eight per cent. The difference, therefore, would be hardly worth even the limited risk. But if it be intended to secure to the capitalist his interest, and also, in addition, high profits, by building up a system of credit, fictitious and unsafe, and by putting at risk the rights and interests of creditors, and this, too, in a scheme of hazardous speculation ; then we say, the attempt is to perfect what is manifestly unfair, unequal, and unjust ; and would well authorise even loud complaints from other portions of society.

We have never heard more than two reasons (so called) for the introduction of the measure. The first is stated to be the employment of *dormant capital*. Now we are not inclined to yield the position included in the argument, that there is such capital here. No capital is dormant which is producing its legal interest ; a fruit, as we have said, it can always command. There are here no mines of unexplored wealth that require but the wand of the legislature to rouse into active life ; no springs of hidden treasure to burst forth and fertilise the wilderness. We have always thought that the difficulty in a new country was the want, *the actual want*, not the mere inability to discover capital. That one great source of evil was the spirit of speculation operating without sufficient capital ; and therefore we wish to tender no further inducements to it.

But it is, in the second place, asserted, that the bill will offer encouragement to *enterprising young men*. Now to those of that description who wish to make use of the legitimate objects of individual or associated enterprise, we would offer every proper encouragement. At the same time, we would be careful not to encroach upon the rights of others. Equally careful would we be to hold out no additional incentives to the already strong natural *speculative* dispositions of this class of our citizens ; from an earnest desire both for their good and that of the community. We feel compelled to add, that, however beneficial the spirit of enterprise in our youth may be, if the interests of the community were all or chiefly in the hands of *enterprising young men*, we fear that the retrospect hereafter would be but mournful. Much more so may we assert this of the interests of commerce. The staid wisdom of mature years is requisite to keep the vessel from the rocks and quicksands which render the course of the headlong adventurer so dangerous, and to guide her securely into port.

If, however, the enterprising youths of our country be also men without capital, or a capital merely sufficient to launch them upon the ocean of speculation, the case is infinitely worse. The law offers no check to their onward career, or to the antecedent participation of their supporters.

We have presented thus but a general outline of a deeply interesting topic, of which our limits would not permit a more elaborate discussion. We were unwilling that a subject of deep moment to the community should be passed over in silence. Public attention may perhaps be more particularly directed to the proposed measure by what we have thus hastily thrown together ; and the legislature may be thereby induced to bestow upon it a more careful consideration.

ART. IV.—*Della Vita di Antonio Canova, Libri quattro, compilati da* MELCHIOR MISSIRINI. Milano: 1825.

The middle of the last century, so fruitful of those master spirits who gained lasting celebrity on the busy theatre of Europe, in war, politics, and general science, is also distinguished for having produced a genius in the fine arts, whose works and life form the most striking era in the history of modern sculpture.

Antonio Canova was born at Possagno, a little village in Treviso, about six leagues from Venice, on the first day of November, 1757. His life, as given by his excellent biographer and friend, Missirini, derived from all the most authentic sources, exhibits, at once, one of the most interesting and useful of the age.

To observe the progress of the spontaneous force of intellect and feeling, as they give forms to ideal beauty,—to follow Canova from his domicile, a poor and almost friendless orphan, obtaining his bread with his mallet and chisel, in an obscure hamlet, to his magnificent studio in Rome,—to contemplate the numerous works with which he has adorned the chief palaces in Europe and the galleries of Italy, would be a sufficiently pleasant and profitable reward for the perusal of his life. But there is an additional and higher gratification derived from the reflection, that with a transcendent genius, unknown before to Europe since the proudest days of Greece, he combined such moral merits, such true dignity of soul, as kept him entirely out of the little world of envy, jealousy, and strife; where some of his cotemporaries found contempt and disgrace, which too often await mediocrity when emulously pursuing the professions and the arts.

Although the fine arts had flourished for so long a period in Venice, yet, at the time he commenced his labours, Sculpture had fallen very low. There were only some tolerable restorers, with a depraved or false taste, who had produced no works that had won the approbation of enlightened connoisseurs, but they were merely critics and disputants, armed to defend a received and privileged style.

The father of Canova was a respectable stone-cutter and architect, who died at the early age of twenty-seven, leaving his son, but four years old, to the care of his mother and paternal grandparents. His mother soon married again, when his grandfather insisted on keeping Antonio, and doing what he could towards educating him. Becoming, however, reduced in circumstances, he was unable to do any thing for Canova, and treated him with great austerity and unkindness, so much so that the child, who possessed a most delicate temper and

extraordinary sensibility, was, one day in a passion, about to jump from a balcony and destroy himself, but was prevented. His grandmother was exceedingly tender and affectionate to him. He used to say it remained to be decided, perhaps, which was more useful to him, the rigour of the one or the kindness of the other. His affection never was estranged from his grandfather, and as he grew in fortune and fame he fulfilled all his filial duties towards them with pious regard.

From his childhood, his first act was to use the mallet and chisel, and he acquired singular facility in forming whatever he wished. At the age of fourteen, his grandfather conducted him to Giovanni Falier, a Venetian nobleman, who lived at his country place, in the vicinity of Possagno. This nobleman was a Venetian senator, accomplished, magnanimous, and ardently devoted to the fine arts. He was pleased with young Canova, foresaw the excellence at which he would arrive at some future period, and took him to Toretti, a very respectable sculptor for the times, who had come from Venice to the village of Pagnano. He continued here two years, working on bas reliefs, modeled by his master, who then returned to Venice and took Canova with him.

Toretti died soon after, and the pupil went to the studio of Ferrari. Here his time was too much occupied to admit of attention to the Academy and modeling, and his grandfather allowed him one hundred ducats, to be paid in monthly sums, for one year. This was all he ever received from his paternal fortune.

His first work was two baskets of fruit and flowers, for his patron Falier. They are beautiful, and still to be seen in the palace of Farsetti, at Venice.

He then thought of opening a studio of his own, and his friend, Falier, bespoke the statue of Eurydice, and afterwards that of Orpheus. The elevation of his genius and the purity of his taste would not permit him to follow a corrupt style, which was neither the natural nor the antique, and having had but little opportunity as yet of studying the ancients, he resolved to confine himself in these statues, to a simple imitation of nature. He therefore retired to the quiet of rural shades, where he formed the models from nature, and often, at this period, would walk to Venice that he might study the ancient statues in the Academy. When completed, these works excited great admiration, and Querini, a noble Venetian, bespoke of him the bust of the Doge Renier. Soon after senator Grimani ordered an Orpheus to be done of Carrara marble. This, when finished, so pleased Morosini, the procurator of St. Mark's, that, for the honour of the arts, he ordered a public

exposition of it at the fair of the Ascension, where it formed a most conspicuous ornament of the hall of exhibition.

After Apollo and Daphne, and some other works, he made the group of Dedalus and Icarus, by which his reputation was still advanced. In all these works he had no assistance, but confided entirely in his own judgment. Facility, nature, simplicity, had been the characteristics of the classical masters of the Venetian school of painting; and these were all strikingly seen in the first works of Canova. The hand of patronage began to be every where extended to him, and confidence was obtained and secured by his modesty, temperance, piety, unshaken resolution, and patience of fatigue, both of body and mind.

The reception of the beautiful group of Dedalus and Icarus made many desirous of possessing some of his work; but he felt a strong inclination to go to Rome, the true seat and school of the arts, and finding he had between two and three hundred dollars, proceeds of the above mentioned group, he seriously deliberated on traveling to the great emporium of antiquities. Falier, seeing his resolution fixed, recommended him to Zulian, then ambassador from the republic of Venice to the Pope. The minister received him kindly, and wished him to employ four years in copying the finest works of the ancients, to be sent to Venice; and it was only on these conditions he could render him any assistance. We learn from a note, in the hand writing of the sculptor, that he rejected this proposition with disdain, and told Zulian that he had some ambition to exercise his own judgment in the execution of original works; and that by copying so long, all originality would be banished from the mind.

The minister, incapable of discerning the important truth contained in this sensible reply, took it at first, especially as the artist was so young a man, for presumption; and treated him with coldness and silence; but afterwards became his firm friend and warm protector.

Canova left Venice for Rome in October, 1779, and on the evening of his arrival he flew to the French Academy to see them employed in designing. Zulian conceived a regard for him, and invited him to take lodgings in his house. Penetrated with such generosity, the artist told him he would endeavour to show his gratitude by his zeal and application to his studies. At first he roved impatiently, and was almost distracted in contemplating the stupendous works of the ancients; the Apollo, the Laocoon, the Torso, &c.; but still greater admiration was excited in him by the colossal equestrians at the Quirinal; at the sight of which he said he felt himself to be so insignificant.

When he went to Rome there was nothing in statuary but a licentious mannerism, or an attempt to imitate the ancients; and most of the sculpture then done, was after the standard of Bernini. There was therefore still a field, but it could only be discovered by true genius and taste. Sculpture had not, it must be confessed, kept pace with painting and the other arts, at Rome. It is not surprising if artists despond where they find constantly before them works which they know they never can equal. It was committed by destiny to him to effect, ultimately, a glorious reform, although he had to encounter many difficulties, and when his Dedalus and Icarus were first brought to Rome they were very coldly received.

Fortunately, there lived at that time, in Rome, a Scottish gentleman, Gavin Hamilton, of great judgment and taste in painting, especially versed in the true antique style, and eminently learned in the arts. Immediately on his arrival at Rome, Canova became acquainted with Hamilton, and the fullest confidence and friendship between them ensued. Canova avowed to him that nature had been, hitherto, his model, and that the monuments of the ancients had astonished him to the point of despair. The group of Dedalus and Icarus was examined at the house of the ambassador, by Volpato, Foschi, Hamilton, and several other distinguished artists and connoisseurs, but none of them expressed any opinion. After long hesitation Hamilton declared, with deference, that to him it appeared to be a work of great simplicity and purity, and all that the artist wanted was the style and maxims of the ancient masters. He added, that the artist had taken the right plan, in, at first, following nature, and afterwards perfecting his taste, and forming, by the study of the ancients, a broad and free style. The effect of these words on Zulian was indescribable. What then, said he, can I do for this young man? Nothing, said Hamilton, but *give him a block of marble*.

The ambassador forthwith provided him with a studio and marble. His judgment was also confirmed by the decision of La Grève, the director of the French Academy.

He next finished Theseus and the Minotaur, and was pensioned by the Venetian senate with three hundred ducats annually, for three years. This work was exhibited to the admiration of Rome in the year 1785. The hero is seated not in the posture of lassitude, but of triumph, and holds in his hand the club which he is to use in beating down the monster. This idea was suggested to some other distinguished artists, but they chose the moment of combat. Canova selected the composed position, by the advice of Hamilton, who told him to avoid an action too animate, and that a quiet style was in this case the more appropriate.

The *Theseus*, when exhibited at Rome, excited great sensation and surprise. Envious rivals, of the old school, were busy with criticisms, but their heterogeneous and false style was completely prostrated. He gave the group to his patron, Zulian, who refused to receive it, and told him he must sell it for his own profit. It was purchased by Count Fries of Vienna, and an engraving made of it by the celebrated Raphael Morghen.

He became now endeared as a son to Hamilton and Volpato, and they spent much time together in conversations on topics relative to the arts. Canova passed most of his evenings at Volpato's, and an occurrence took place very natural to an ardent, delicate, and sensitive soul. He fell in love. He seems to have been deeply susceptible where there was extraordinary beauty with corresponding endowments of the heart. So early as the age of sixteen he was enamoured of a little girl in Possagno and wished to espouse her; but they were not permitted to marry on account of their youth, and were afterwards separated.

In the numerous family of Volpato there was a young lady of surpassing beauty of face, of great elegance of person, and a strong mind that radiated from her eyes. The gentle heart of the artist was fascinated; the young lady consented; and he consulted her father who was well pleased with the prospect of their union, and the matrimonial arrangements were almost closed.

Canova became seriously engaged in the magnificent mausoleum to Ganganelli (Pope Clement XIV); and La Domenica Volpato, (the young lady to whom he was betrothed,) not willing to contradict the maxim of Petrarch, that love continues but a short time in the heart of woman, repented of her choice, and wished to be again free. Canova having ascertained the fact, begged her to tell her parents, which she did; but her father was at first inflexible, and insisted on her marrying him, suspecting a secret affection of his daughter for some one less worthy; but finding that Canova wished to conform to the caprice of his daughter, he consented to dissolve the contract. She soon afterwards became the wife of Morghen, the celebrated engraver.

Canova, deeply wounded at losing the object of his affection, resolved never to marry. He kept himself constantly occupied, in order to relieve his mind, and went to Carrara and Genoa, to avoid brooding over his disappointment.

So closely did he apply himself to work on his return, that, in 1787, the monument of Ganganelli was completed and uncovered. It filled Rome with admiration, and every body was induced to visit the splendid work. Criticisms and pasquinades

appeared without number. An artist who had made some statues for the church, and who conceived himself knowing and eloquent, lectured to a crowd of Romans on its defects. His name was Bergondi. A plain gentleman after a while begged to say one word, and the orator was silent. "You must know, good people," said the gentleman, pointing to Bergondi, "that this is the man who sculptured these frogs which you there see, and which he calls angels; they are villanously ugly as you may all observe." The critic hastily retired, and had it not been that they stood in the sacred temple of St. Peter, he would have been followed by the shouts of all the bystanders.

Canova was perfectly aware of the strictures passed upon his work, and replied to them with true greatness of mind, only by saying that they should serve to excite him to do better.

From the time that the group of Theseus and the Minotaur was finished, Abondio Rezzonico, a Roman senator, determined to employ Canova to erect a magnificent monument to his uncle Rezzonico, Pope Clement XIII, to be placed in the basilica of the Vatican.

This vast idea occupied the mind of the sculptor for some time, as the work was to be located in so conspicuous and august a situation. He was inspired with great ardour while at this task, which consumed many years; it was at length finished in 1795, and placed in St. Peter's. It was exhibited on Holy Wednesday, and the mysterious light shed on it by the illumination of the grand cross heightened its effect. The concourse of people was immense. All concurred in admiring the felicitous conception and execution of the Genius and the lions at the foot of the sarcophagus, where the repose of the one is so happily contrasted with the fierceness of the other. Canova, that he might hear all the criticisms, and obtain a full knowledge of public opinion, disguised himself as an abbate; altered his physiognomy; mixed with the crowd in a ragged mantle, amusing himself with their prattle, and at last stood close to Rezzonico himself, who made signs of giving him something to induce him to withdraw, believing him to be a beggar. He heard all the praises and censures of the work with his usual equanimity, and to some one who said that the statue of Religion was not free enough, and was too gravely dressed, he replied, he had made it so in order to approximate to the costumes of the finest priests of antiquity; and if he were to do it again he would perhaps not alter it much. Pope Pius VI, the great benefactor of the arts, was filled with admiration. The acclamations at the appearance of this superb monument soon reached France, and the learned Quatremère gave it his warmest

and unqualified encomiums. A beautiful engraving of it was made by Morghen, the husband of his former mistress.

Such was the unremitting industry and enthusiasm of Canova, that he never seemed hungry or thirsty, hot or cold. From the moment he first came to Rome he generally rose at daylight, and repaired to the Quirinale to contemplate the groups of the ancients and study their attitudes; and while wandering about among these famous monuments, there was not a day that he did not discern some new beauty. In this manner he alternated his studies between nature and antiquity, and works came from his hands as if by inspiration.

It will scarcely be believed, that from 1785 until 1798, he completed other works, besides these two great monuments, which would have been thought amply sufficient to occupy any artist. Two amorinos were made by him—one for the Princess Lugamisky, another for Lord Cawdor; these are without the ancient appendages, but they teem with beauty. Canova was so refined in his sentiments that it produced an habitual conformity to all the decencies of the art. True beauty purifies the senses, never corrupts them; raises, not debases, the soul. He made a Psyche for Blundel, an English nobleman. This figure represents a girl of fourteen years of age, or thereabouts, with so much purity and innocence, that it was said to be the true image of the human soul exhibited to the senses. He executed a still more beautiful one, a copy of this, and wished, in gratitude to his friend Zulian, who was returning to Venice, to present it to him; but he constantly declined, and made the artist dispose of it for his own profit. It passed into the possession of Count Mangili; when Napoleon seeing it, was so delighted that he purchased it at the highest price, and sent it as a present to the Queen of Bavaria. Besides the sweetness, there is a nobleness and gentleness in the expression of this work which elicit the deepest admiration. He also executed Love and Psyche reclining.

While pursuing his labours, he was not neglectful of the cultivation of the belles lettres, knowing how intimately they were connected with his art; and from his savings he early commenced the formation of his library, which he annually enriched with the finest classical works of every nation, as well as the most distinguished treatises on the arts. He also applied himself to the French and English languages, to which he devoted the time usually given to repose and recreation. But of all his books, none gave him so much pleasure as Plutarch, and none of his heroes pleased him like Phocion: a man, he said, magnanimous, witty, severe, and modest.

He became well versed in history and archæology, and read the Greek classics in Italian translations. His bas reliefs show

how perfect his conception was of the objects of Grecian history. A great connoisseur, on seeing the death of Socrates, exclaimed—"Blessed be the hand and the mind that produced such works." Although our sculptor excelled in the mechanical parts of his profession, it was in the intellectual portion that he was so much superior to all his contemporaries. If mere manual dexterity could excite lasting pleasure in the mind, the Fall of Lucifer, by Falsoletto, done with heroic patience, and remaining in the palace of Count Papafava, at Padua, would be regarded as a performance of the greatest merit. Here are sixty angels falling from heaven, in as many varieties of attitudes. The works also in the chapel of St. Severo, at Naples, which were for a long time regarded as the greatest of human genius, would still be admired, but an improved taste has consigned them to their proper rank, and they have ceased to hold that unmerited pre-eminence.

Canova, after a severe illness, brought on by his too great application, returned to Venice, where he made a monument for Angelo Emo, the last Venetian admiral. He then visited his birth-place, where he was received with princely honours, and after again returning to Rome, he soon finished the monument to Emo, which was ordered to be placed in the arsenal at Venice, where it remains. The senate gave him a pension of one hundred ducats a month, for life. About this time, he lost, through the treachery of a supposed friend, four thousand crowns of the savings from his works, of which the wretch basely defrauded him. He consoled himself by work, and made the group of Venus and Adonis, for the Marquis Salsa de Berio, a Neapolitan, which still more increased his fame. This work, at the death of Berio, fell into the hands of Colonel Favre, of Geneva. This group he retouched many years afterwards, and it finally became the property of General Murat; a copy of it was afterwards made for the Empress Josephine. It was subsequently purchased by the Emperor of Russia, for the embellishment of St. Petersburg. His next important works were the Magdalen and Hebe, the first of which was for Priuli, and of which a copy was made for Prince Eugene Beauharnais; the latter was repeated several times, for Lord Cawdor, for the Empress Josephine, and others.

He intermitted his labours for a while; a young Venetian painter who lived with him, used to speak of painting as a mysterious art, a gift from heaven—while he ran on in this strain, Canova was disposed to dissent from his opinions, and declared painting to be much more easy than sculpture, and going to work, he painted several good pictures from others in the academy. He also painted a Venus, large as life, in the attitude of repose, and holding in her hand a mirror. This

picture was set aside in the studio, where it was for several years forgotten. At the end of this time, he showed it to several good painters. They praised it much, and said it was of the Venetian school, but the correctness of the design surpassed it; and finally determined it was *an antique*! He also painted the portrait of Giorgione, and deceived all the artists and amateurs. He continued for some time to amuse himself with painting, and drew several portraits of himself. In the mean time, war raged in Europe, and, Italy being overrun with French troops, the arts were all arrested in their progress at Rome, and great distress came upon their cultivators. Now it was, that Canova showed how open his heart and purse were to charity; his exertions for the relief of the sufferers were truly laudable. Wherever he appeared in the streets, his beneficence was felt, and he continued this virtuous practice through life.

After the destruction of the Venetian republic by Napoleon, the pension from the Venetian state was discontinued, but Bonaparte wrote immediately to him as follows :

"It has been made known to me by one of your friends that you have been deprived of the pension you enjoyed from Venice. The French republic duly appreciates the great talents by which you are distinguished. So celebrated an artist as you are, is particularly entitled to the protection of the army of Italy. I have given orders that your pension be exactly and punctually paid, and I pray you will advise me if this command be faithfully executed, and accept of my assurance of the desire I entertain to do whatever can turn to your advantage."

He left Rome in 1798, and after spending some time at his native place, accompanied his friend Rezzonico, as traveling companion, through Germany, where he was received in every capital with the greatest respect and distinction; and at the cession of Lombardy to Austria the emperor invited him to remove to Vienna, but he never would consent to leave Rome.

His remarks during his travels, on the works of the great painters which came under his eye, are replete with sound criticism. He became more fond of painting, and made a picture, on his return to his native place, for the church, which was highly honourable to his talents.

A better state of things having been established at Rome by the restoration of Pope Pius VII, Canova returned with new ardour to his studio. Then truly commenced his prolific labours, when he was obliged to enlarge his studio and employ numerous co-operators. After several designs and works, he made the group of Hercules and Lichas. The action of the group is taken from Trachinie. Hercules is represented as becoming furious from the burning shirt soaked in poison, which belonged to Nessus, and taking the young boy Lichas by

the hair with the right hand and by the foot with the left, he is in the act of throwing him, with wild rage, into the sea.

The court of Naples had made arrangements for the purchase and reception of this group, but the revolutions which succeeded frustrated their plans. It is in the palace of the Marquis Torlonia, at Rome.

His next grand work was Perseus and Medusa, which was placed in the situation before occupied by the Apollo. The despoiling of the Vatican and all Italy of the finest monuments was severely felt every where, but especially at Rome, the ancient school of the fine arts. In 1805 Pope Pius VII appointed Canova to be inspector general of the fine arts in Rome and all the pontifical states.

Napoleon, while first consul, invited him to Paris in order to execute his statue, and other works; and being advised by the pope and other friends to go, he prepared himself for the voyage. The French minister at Rome presented him with a beautiful traveling carriage; and he was received every where in France with signal éclat. On his arrival at Paris he was met by the minister of the interior, who accompanied him to St. Cloud, where the first consul welcomed him with the greatest kindness and affability.

The ingenuous artist solicited the liberty of speaking freely and with candour on the various subjects connected with the arts, and explained at length the lamentable general adversity at Rome, and the decay of the public monuments.

"I will restore Rome," said the first consul—"I have the good of mankind at heart, and wish to promote it; but what do you now wish?" "Nothing," replied Canova, "but to obey your orders." "Make my statue," said Bonaparte, and dismissed him. At the end of three days he returned with the clay to St. Cloud, took breakfast with the first consul and Josephine, and commenced the model.

While the artist was at work, Napoleon would read, or converse playfully with Josephine, or talk to the artist on politics. When speaking of despoiling Rome of all the fine ancient statues, Canova complained bitterly to him, and told him all Italy felt the privation. But on adverting to the bronze horses taken from St. Mark's, at Venice, Canova was deeply affected, and mentioned that the subversion of that republic would distress his mind through life. Bonaparte indulged in a familiarity with him which was not usual towards any body else, and of which others were jealous.

While modeling the head he told the first consul, "It must be confessed, that this head and physiognomy are so favourable to sculpture, that it might be taken as belonging to one of the greatest men of antiquity. I think I shall succeed admirably,

but perhaps not in a way that will please the gentle sex." Bonaparte smiled. The work being finished, the artist was entertained in the most flattering style by the consul, and all Paris talked of the favours he received. He was presented to the National Institute, of which he was a member, and when taking his leave of Bonaparte the latter said to him, "Go, commend me to the pope, and tell him you have heard me preach the liberty of the Christian world." On his return to Rome, orders for work came to him from every part of Europe, and more than he could possibly execute. The statue of the first consul, when finished, was subjected to the severest test of criticism, and Denon even wrote strictures on its nudity; but it was triumphantly vindicated by the rules of art, and the usages of antiquity. The Roman emperors were never seen with the toga, except when officiating in the pontifical functions, when the head was veiled. The toga was the civil imperial habit, and thus the illustrious men of Greece, Pindar, Euripides, Demosthenes, Aristotle, Aristides, had only a large Greek mantle thrown in a picturesque manner on the naked body. Thus, in the frieze of the Parthenon, where Phidias represents the procession of the Panathenæ, the Athenian nobles are represented either naked or with the short military jacket—never had they any other costume.

The ancient artists employed vestments for decency in their representations of women, and goddesses, except in that of Venus coming from the bath, or the nymphs from the lakes. Afterwards they admitted garments only as ornaments, or as characteristic emblems. But we can never use the modern costume in sculpture to please the eye of taste, because of its angular and uncouth forms; and the frequent change of fashion would be an additional objection. The artist in stone wishes to consecrate his works to all nations and to all succeeding ages. He says with Zeuxis, "I work for eternity." After hot controversy, the triumph of Canova every where was complete. David, the celebrated painter, wrote him, "You have done for posterity as much as human skill could do, and you have left to mediocrity its habitual consolation, the endeavour to destroy merit."

Canova, at this time, re-established the Academy of St. Luke, with the assistance of the pope, and gave to that institution the salary allowed him as inspector-general.

After executing the celebrated monument to Christina, Archduchess of Austria, and going to Vienna, he returned and achieved his beautiful Venus of the Bath, now in the gallery at Florence, and placed alongside of the Venus de Medicis. He made two copies of this; one for the King of Bavaria, and the other for the Prince of Canino; and Lord Hope, wanting

a third, the artist could not refuse it, but being weary of copying, made a model with less drapery, with which he himself was better satisfied than with the other. The mantle is removed from the breast; it has a more perfect oval on the sides, and a physiognomy more spiritual; the attitude is also better, owing to the position of the lower limbs. Soon after, he made the Dancers, which silenced all opposition in the French capital.

Madame Recamier, one of the most beautiful women in France, was exiled from her country, and went to Rome, in 1813; Canova became intimate with her, and immortalised her by the beautiful bust of Beatrice, which he modeled from memory.

After the extinction of the civil government of the pope, by Napoleon, our artist was so mortified at the disgrace of the Italian name, by the capital of the world becoming the head of a French province, that he wished to decline all public honours. This was impossible; for Napoleon appointed him Director of the Museum of the Vatican, by an imperial decree of 25th February, 1811, which post he only consented to accept, under a solemn promise that nothing more should ever be taken out of it.

In 1809, the Spanish pensioners at Rome were all sent to the Castle of St. Angelo, for refusing allegiance to the government of Joseph at Madrid. Here Canova showed the goodness of his heart, in acts of the greatest kindness to these distressed artists. Alvarez, a worthy Spanish sculptor, was deprived of every aid from his country, and his works remained unsold in his studio. The Spanish minister at Milan proposed to Prince Eugene Beauharnais, then Viceroy of Italy, to purchase some of these works, in order to assist Alvarez. The prince wrote to Canova, to know their value. Canova replied, with great magnanimity and frankness—"The works of Alvarez remain unsold in his studio, only because they are not in mine."

It had long been desired by the imperial court at Paris, that Canova should make it his permanent place of residence. Accordingly, he was informed officially, that Napoleon invited him to Paris, either for a short time, or to make it his abode. The invitation added—"That on account of the esteem in which his imperial majesty held the talents of the artist, he wished his counsel in completing the works of art in France, which were to *eternize* the splendour of his reign." The letter was most flattering to Canova, and referred to the great honours which were probably intended for him by the emperor. The artist was at Florence when he received it, and was not a little embarrassed from fear of being compelled to reside in Paris

during the remainder of his life. He begged off in the most eloquent manner; witness the following sentence in his letter.

"I have been accustomed, from my childhood, to study and solitude; to a life entirely secluded, with not robust health, which requires regulating and defending; my sensibility and timidity are entirely beyond control in any thing which is not intimately connected with my profession; whenever I should change such a system of living, which is my element, I should die to my own happiness, and to the art for which I live."

Through the influence of Cardinal Fesch, and Denon, he was not retained at Paris longer than he desired.

Canova departed immediately, and arrived at Fontainebleau on the 11th October 1810, where he was kindly received by the grand marshal of the palace, and the next day was appointed for his presentation to the emperor.

One of the most interesting passages of Missirini's volume, is a long dialogue between the emperor and the sculptor, which, on the part of the former, is particularly curious and characteristic. But we abstain from quoting it here, as a translation of it has been widely circulated through the United States in the newspapers.

Soon after, the emperor made an ample provision for the Academy of St. Luke, and Canova, loaded with honours, had the superintendence of the school, and of most of the things connected with his art. Our artist, always busy, had little time to write on subjects of his profession, yet his defence of his works against the cavils of the numerous critics is dispassionate, judicious, and dignified, with the true spirit of learning and research. His favourite maxim to young men was, "*bisogna operare e non iscrivere*," and surely no one ever practised more faithfully the principles he inculcated. His thoughts on the arts are replete with sound good sense, expressed in the most plain, simple, and striking style.

"I always study to arrive at my end by the shortest and most simple way; as that blow which comes most direct, does most execution. Hence I shall be able to leave all vain and distracting ornaments behind."

"In social life," he remarks, "I have observed that courteous, agreeable, graceful men, always get the advantage of the severe and austere. Grace has an attraction which conquers all hearts. The same happens in the arts. With grace you are certain to please; but observe, that as he who in society affects grace and does not possess it, becomes awkward and disagreeable, so the artist who studies grace too much, instead of delighting, displeases. Hold to the just medium. And this I say; you must possess the innate principles in order to be graceful, and if you are cold, or wanting in this essential part, you need not endeavour to obtain it. Your case is desperate. You may pursue the rigorous branch of the art, for even in austerity there is glory to be gained."

A nobleman, one morning, came into his studio, where he saw one of the Venuses, and asked him where he found the model for such superhuman beauty, and besought him to let him see and become acquainted with the celestial being. Canova consented, and the day was appointed when the original should visit the place. The gentleman arrived, full of agreeable anticipations, and the artist showed him one of the most homely women he could find.—The man was dumb with astonishment—but Canova, who was intimate with him, laughed, and told him it was impossible to see so perfect a beauty with material eyes, it could only be done with the eyes of the soul assisted by the noble maxims and rules of art.

While employed on one of his dancing nymphs, a friend came in, and seeing his great patience and assiduity in working on the nails of the fingers, said to him, “This statue already appears divine; do you think people will examine a hair when there is so much beauty?” “It is care,” he replied, “which recommends our art, and I have to work more on the nails; these things are usually neglected in sculpture, and yet the ancients took great pains with them; the Venus de Medicis has them finished with wonderful precision and beauty. And why should we not attend to them? Surely it was not without wisdom that the ancients used the saying, ‘perfect even to the nails,’ to signify a complete work.”

After Italy fell under the gigantic power of Napoleon, it was in vain that the Italians complained and protested against the removal of nearly all their beautiful statues and pictures—but the emperor, inexorable to their grief, thought only of pleasing the French nation, decorating his capital, and above all of his own victories and glory. In vain they presented to him the example of the Romans,—of Fabius Maximus, who earned the thanks of the senate after the taking of Tarentum, for not having carried away any of the statues from the city,—the censures passed on Marcellus, after the capture of Syracuse, for having brought odium on the city of Rome, in taking not only the men as prisoners to adorn his triumphs, but even their gods. Equally vain was the citation of the example, spoken of by Cicero, of Scipio; who restored to the Sicilians their monuments of art wrested from the Carthaginians. All were transported to Paris.

In 1815, when the allied powers entered the capital of France, it was determined that these elegant monuments should be restored to their former owners. Canova was chosen as the proper person to attend to this business. Who could do it better than the great prince of the arts, and who could better conciliate the people, than one so much beloved by them and their former sovereign? Accordingly, he was informed by

Pope Pius VII, that he had been appointed to the performance of this duty, and on the 28th August, 1815, he arrived at Paris. His instructions from the Holy See were, first to present the subject to the consideration of the king of France, and in case of an absolute refusal, to make a strong remonstrance to the allied sovereigns. This he accomplished with singular ability, and through the aid of the British and Austrian ambassadors finally was told, that he might proceed to his work of removing the monuments, pictures, &c.

Prince Metternich gave orders that an adequate guard of Austrian and Prussian soldiers should escort Canova to the museum to take away what belonged to Rome. The French were highly exasperated, and not only refused any assistance, but threw obstacles in the way, as well as sharp provocations, in hopes to retard the removal and ultimately prevent it, as the allied armies were to be removed in six days from Paris.—Prince Schwarzenburg, however, furnished more troops, and with the aid of foreign artists all the principal works were collected and despatched. The pope, to show his friendship and love for the king, presented the French museum with several chefs-d'œuvre.

The joy at the arrival of these precious relics in Italy can only be imagined after recollecting the enthusiastic love among the people for the fine arts. The Duke of Parma offered a million of francs to preserve in his possession a single picture by Correggio, and when this was refused and the picture taken away, he placed, where it stood, a black table in perpetual remembrance of his loss and his sorrow.

Canova visited London, where he was received with the greatest attention, hospitality and honour. Among other things there, he saw the marbles taken from the Parthenon, at Athens, by Lord Elgin, and transported to London. Respecting his visit he wrote to his friend, Quatremère, at Paris, as follows :

“ My dear and best friend, behold me in London. Astonishing capital, beautiful streets, fine parks, and most noble bridges ; great cleanliness, and what is most surprising, we see all combining for the well-being of humanity.

“ I have seen the fine marbles brought from Greece. Of the *bas-reliefs* we have already had an idea from engravings ; and of the figures also we have had models in clay, but of the large figures, in which the artist can truly show his skill and knowledge, we knew nothing.

“ If it be true that these are the works of Phidias, or done under his direction, or that his hand finished them, this shows clearly that the great masters were true imitators of beautiful nature. There is nothing affected, nothing exaggerated or stiff : that is, none of those parts which would be called conventional or geometrical.

“ I conclude that the many statues which we possess with these exaggerations, owe them to as many different artists, who copied them in order to send the beautiful Greek works to Rome.

"The works of Phidias are true flesh, that of beautiful nature, as are the other examples of ancient sculpture. The Mercury Belvidere is flesh; the Torso is flesh; the Fighting Gladiator is flesh; the several copies of the Satyr of Praxiteles, the Cupid, of which fragments were so often found: Venus also is flesh, and a Venus now of this Museum is in truth flesh,—nature.

"I must confess to you that in seeing these fine things my self-love has glowed; because I have always been of opinion that the great masters must have worked in this way and no other. Do not believe that the style of the bas-reliefs in the temple of Minerva is various: they have all the same fine forms and fleshiness; for men are always composed of flexible flesh and not of bronze. This opinion was enough to induce sculptors to renounce all and every rigidity, and attend rather to the beautiful and delicate natural form."

In 1818 the model of the statue of Washington was completed for the state of North Carolina, and in 1820 it was finished in marble. Many people in Europe, and all Italy, thought this was intended for our national government, as a monument to the illustrious military and civil chief of this new and widely extended republic. We have to regret that this was not the case,—that the works of inferior artists only deform the Capitol, and that nothing from the mind and hand of Canova is found there. How can we account for such an omission? The statesmen who neglected the glorious opportunity, if sensible of what has been lost, must look back with mortification. Rich, appropriate, and well executed public monuments, are magnificent and glorious property for a nation. They proclaim to all future time the intellectual and moral grandeur which existed at the period of their construction: they stand to purify the taste and exalt the sentiments of succeeding generations. On the contrary, if badly designed and executed, they become public nuisances; they corrupt the public taste; the eye and mind are habituated to approve and admire them from their subjects: and the judgment and purity of sentiment in a people are thus depraved.

In order to make this fine statue of Washington worthy of the subject, Canova studied carefully his biography, and especially the history of the American Revolution, by Botta. The statue was done sitting, in the act of resigning his military command, not of presenting his sword, but of writing his resignation. The whole is full of gravity and sweetness, and there is impressed on the face of Washington that dignity and virtue which he fostered in his heart. The likeness was taken from a bust made by the able Ceracchi during his visit to America. It was done in the Roman costume, and seated in the Roman style.

As Canova advanced in years his mind lost none of its vigour and enthusiasm, but rather increased in both. He seemed to live only on labour. Work—work, without recrea-

tion, without repose and almost without sustenance, was his only solace. He persevered as long as he could hold the chisel and the rasp, and appeared to endure fatigue as in the flower of his youth. In vain his friends advised him to relax. He was docile in every thing except this; here he was inflexible.

In the spring of 1822 his digestion became impaired, and although he still continued to work, he was soon obliged to attend to his health alone.

He returned to his native place, and thence he went to Venice to obtain medical advice; where he arrived on the 4th of October. The best professional aid was assiduously rendered, but he languished and continued daily sinking under his disease until the 13th October, when his life was closed, amidst the regrets and tears of Italy, at the age of sixty-five.

The last words which he uttered, that were clearly audible and distinctly understood, were, "*anima bella e pura.*"

His disease was calculi in the gall bladder, which interrupted the flow of bile, destroyed digestion, and produced chronic inflammation in that cyst and the contiguous parts.

Many years before his death he had made a design for a beautiful monument to Titian, but unfortunately the money for its completion never could be raised. It was accordingly given to Canova himself, and finished in superb style by his pupils. It stands in the church of Santa Maria de' Frari at Venice, and the sight of it fills the spectator with solemnity and reflection. The winged lion of St. Mark, reposing at the door of the tomb, and the weeping genii of the arts approaching it in all the sadness of mourning, produce a most powerful effect. Callous must be that heart which does not, on looking at this monument, feel something of the sorrowful inspiration which warmed and expanded the breast of Canova when he made it for the great Titian.

Canova was of the middle size; handsome in his person; of meagre and spare habit; he had a mouth a little open; eyes, lively and penetrating; his face was pale, with an expression of diffidence; his forehead serene and ample; the expression of his face was one of suavity and good will. He was for some time delicate and valetudinary, but he became in after life more robust, and improved in complexion.

To the end of life he possessed an ardent soul, and was enamoured of all beautiful things. His heart was like a torch which was inflamed by every spark. The Duchess of Albany said to him, "You are old, but you have a young heart." He was extremely sensitive to every slight impression, and his emotions were so strong that he was stricken and convulsed by powerful impressions. Above all, his spirit was wonderfully affected and inflamed by generous actions, because his soul

was great and moved with high thoughts ; his mind was lucid and acute ; his genius quick and perspicacious. He knew how to rein in himself with discretion and moderation ; which, however, never subjected him to the imputation of craft, or over caution, or distrust. He was curious in the least things, and for the greatest undertakings he was bold. His disposition was affable, and therefore jocose ; and he conciliated the love of all. He accommodated himself to every one. He danced and sang with youth like one of themselves. He maintained his friendships sacred ; he opened his mind to his friends with simplicity and truth, and never descended to adulation.

His conversation was frank, facetious, and festive ; always seasoned with Venetian ease and gracefulness. He had a strong taste also for music. He was unrestrained among his acquaintance, but in a crowd and with strangers he was diffident and taciturn. In his dress he was neat without luxury ; he had a well regulated household, without extravagance or dissipation, and his functions of host were performed with elegance and urbanity. He used to have at his *conversazioni* the most distinguished literary men and artists, and he sat among them as a listener and guest, and not as the master of the house—thus, he said, he enjoyed himself in the tranquil haven of wisdom.

He rose early, and immediately went to work, either at modeling or sculpture, and was never interrupted till dinner. After dinner, he reposed a while, in order to recommence his labour with renewed alacrity and vigour. His evenings were allotted to visiting, and receiving visits. He enjoyed society much, but retired early. He lived sixty-five years to virtue and glory, and died in the embraces of religion.

In the arts, he knew not a feeling of envy or jealousy ; never did these painful passions in the slightest degree disturb the tranquillity of his soul. He worked, it may be said, in public, and his studio was the resort of those who tried to equal or surpass him. He pardoned mediocrity, saying it was difficult to excel ; and when he spoke of worthy and promising artists, his face beamed with delight. He was desirous of embellishing and raising the Italian name ; this occupied the first place in his thoughts. He ascribed to the fine genius and benign climate of Italy the excellence and superiority of her artists in imitation.

He had in his countenance that hilarity and cheerfulness, which spring from a good conscience. He corrected the faults of others, only by the eloquence of a good example.

His friends were men of the highest character and probity ; learned, liberal, and accomplished. Giovanni Falier, Antonio Selva, Gavin Hamilton, Zulian, Antonio Este, Quatremère,

Count Tiberius, Roberti de Bassano, Count Leopold Cicognara, Giuseppe Bassi, Giuseppe Tanibrani, Pietro Giordani, Giovanni Gherardo, de Rossi, Giovanni Alexandri, and many others who were an honour to their country and their species, for their learning and virtues.

A very small portion of his labours has been mentioned in the foregoing brief notices of his works; nor will our limits admit of a reference to them with a view to an appreciation of their comparative merits. But, perhaps, so much in sculpture was never before accomplished by an individual.

Without taking count of the works commenced and remaining unfinished in his studio, he executed, with his own hands, fifty-three statues, twelve groups, (a thirteenth was modeled;) fourteen cenotaphs; eight grand monuments, seven colossal; two colossal groups; fifty-four busts, of which six were colossal; twenty-six bas-reliefs modeled, one finished in marble; making one hundred and seventy-six complete works.

Such was Canova; and, whether we consider him as an artist or a man, he presents one of the brightest examples for imitation, which we meet with in the history of those brilliant personages whom nature richly endowed, and whose self-culture raised them to an eminence so far above the mass.

In his biographer, the great artist has been truly fortunate, as his readers will easily discover. There is a faithful and strong portrait, physical and moral, in which the whole man stands in full relief before us. Classical without affectation, deeply conversant with the fine arts, with a refined taste, which can scarcely be acquired without a familiarity with the grand works found only in Italy, he has in every thing acquitted himself in a manner worthy of honour and admiration; and although writing of one of the sons of Italy, to whom all hearts there are devoted, he avoids all extravagant and exaggerated eulogium. This, it is true, was to be expected from a highly cultivated mind, and a rectified and chastened judgment.

They who admire the beautiful Italian, can feel and appreciate those eloquent and tender bursts of sentiment, which take the shortest road to the heart, and there make those vivid impressions which constitute the chief charm of Italian existence; but of which vast numbers of people, of other nations, who hold high pretensions, live and die in total ignorance.

ART. V.—*A New, Theoretical, and Practical Treatise on Navigation, in which the Auxiliary Branches of Mathematics and Astronomy, (comprised of Algebra, Geometry, Logarithms, Plane and Spherical Trigonometry, &c., &c.) are treated of; also the theory and most simple methods of finding Time, Latitude, and Longitude, are taught.* By M. F. MAURY, Passed Midshipman of the U. S. Navy. Philadelphia: Key & Biddle. 1836.

The authority of an apostle is not needed, to assure "the men of this generation," that "the fashion of the world passeth away." The tide of innovation, in his day so inert that it had left almost unimpaired to his countrymen the manners of their father Abraham, has since grown fearfully in compass and in power, until the truths of religion, and the established principles of science, have alone proved equal to its resistance. Like two promontories of rock, they stand out amid the flood, (which has swept the less permanent materials from around them,) the monuments of their own duration. Every effort for their destruction—the concentrated fury of the tempest, and the insidious but ceaseless attrition of ages, have only served to lay bare the foundation of eternal truth, which they could neither shake nor corrode, until even the sceptic has confessed, that the principles of universal science, as they have come to us, through the philosophers of the two last centuries, are indeed those upon which the universe has been built, and must endure with it. If less willing to apply the same reasoning to that nobler science, which soars above his works to contemplate their great Architect, he still finds it difficult to resist the conviction, that the light which religion reflects upon earth, is indeed of "the brightness of his uncreated glory," and destined, in the fulfilment of his promise, to display his perfections in increasing light, until the perfect radiance of the risen day.

In an age thus possessed with a spirit of innovation, it is not surprising that the system of education should undergo an entire change. If, as we have so fondly hoped, we are destined to be the honoured means by which the race is to be brought to a state of comparative perfection, it required no extraordinary wisdom to direct our chief attention to the education of our children. How far every innovation has been improvement time will disclose. We much fear that, in some respects, "the advance," to borrow the language of a distinguished militia officer of a neighbouring state, has been fully "three steps backward." The tendency of the present system, to the neglect of the accomplishments of a gentleman's education, is toward the more practical sciences, and its great improvement

has been in the mode of *their* tuition. Twenty years ago, the mathematics were scarcely taught at all in our country. Individuals, indeed, whose natural taste inclined that way, by persevering and almost unaided efforts, made themselves masters of the subject. But they learned, without being taught. The student was carried through the propositions of Euclid, conic sections, spherical trigonometry, fluxions, &c., without the slightest notion, derived either from the professor, or the book placed in his hands, of the practical object of the several propositions, or of the sciences themselves. So that when he had arrived at the end, he knew, for every useful purpose, as much of the path by which he had traveled, or the point he had attained, as if he had been led blindfold through the streets of New York. If blessed with a good memory, he could demonstrate all the problems, and understand the reasoning by which the conclusions were reached. But if asked to apply any portion of it in practice, or to point out the end for which it was all designed, he would have stared at the idea, and most probably have answered, in true schoolboy phrase, that *it was not in his book*. If, perchance, his attention had been directed to the study of practical surveying, he would have perceived the application to practical purposes of some of the simplest rules of geometry and plane trigonometry, and would have concluded, as we freely confess we did, that the vast science of mathematics, its fearful array of angles, triangles, and rectangles, its sines, its tangents, and its secants, aye, and for all we knew to the contrary, the more awful mysteries of the parabola, the hyperbola, and the ellipse, were designed to measure the width of a river, the height of a church steeple, or the area of a three acre field.

And since this was the only practical purpose we were permitted to see of that which we had expended years in accomplishing, will any one deny the reasonableness of our conclusion? We remember well, after having demonstrated to the satisfaction of the professor, and the admiration of the class, some difficult proposition in spherical trigonometry, the amazement in our private mind, which compelled us to exclaim therein, "what can it all mean!" It was clearly proved to every comprehension, that "the product of radius, and the sign of the middle part" was "equal to the product of the tangents of the extremes conjunct," but why any living creature should care if they were, or how the world was to be benefited by the discovery, was as incomprehensible to us as that most incomprehensible doctrine of the eternity of matter. Baron Napier was no doubt a benefactor to the world. But when we were told that the establishment of the above fact, and another about as intelligible, had made him so, it was truly marvellous in our

eyes. Every boy of fifteen was not taught at that day, that he had a right to understand all he was asked to believe, or we should have been very sceptical upon this subject. It is even doubtful if the professor would have found it easy, had he been put to the trial, to give a reason for his own faith. When some inquisitive youth *did* venture to enquire, touching the hidden mystery, which he sometimes suspected lay under all this unintelligible jargon, his question was generally treated as an impertinent exhibition of curiosity, unbecoming his years, or would be evaded by the reply, that though old enough to be puzzled with the abstruse theories of the mathematics, he was not yet competent to the far simpler science of its practical application. If he became restless under his bondage, and remonstrated against the propriety of loading his memory with learning it was admitted he could not understand, while so much remained unattained, and within his comprehension, the answer was always at hand. He was told with wonderful gravity of the effect of the study of the mathematics in enlarging the mind, and reminded, that that in itself was an object worth all his labour. Taught, as we were, to believe every thing we were told by such authority, this reasoning produced in us a very unsatisfactory state of conviction. We could not see how stuffing the brain with a mass of undigested confusion would enable it to reason clearly. We concluded that, at all events, it resembled, in offensiveness, certain prescriptions we had swallowed aforetime, and of whose useful influence on our health we had never been convinced. The result was, that the boy received his life's dose of mathematics in college, and, by a most diligent perusal of novels in after life, made every effort to efface its very name from his memory, just as, when somewhat younger, he had devoured sweetmeats, to remove the taste of a cupful of medicine.

In thus retracing our own experience, we hope to be excused from the charge of egotism; since we offer it only as an example under the general rule. Without further apology, we shall carry it a little farther. Some years after our education had received its last polish, according to the fashion of the day, and we had been officially pronounced master of all the arts the college *professed* to teach, we had the fortune to be embargoed, by a most pitiless storm, in the parlour of a country tavern, with an old magazine for our only companion. Having exhausted its more inviting contents, and accomplished a long dissertation upon political economy, which nothing but the peculiar circumstances of our case would have induced us to touch, we drew courage from despair, and assailed another, then still more formidable, upon the practical application of the principles of mathematics. We had not read far before light

began to break in upon our mind, and exhibit to us their simplicity and still more beautiful adaptation to the most magnificent ends. We had admired the ingenious processes by which the square of the hypotenuse of a right angled triangle is demonstrated to be equal to the squares of the other sides, and the sides of *any* triangle proportional to the sines of their opposite angles, but had never imagined the facts to be of any further use than to aid in the proof of others equally useless when demonstrated. It was with perfect delight that, for the first time, we perceived how, by their aid, we might draw a line across the sun and compute his vast diameter; stretch our compass from planet to planet, and tell their distances. And when, in the further prosecution of the subject, we beheld the mathematician performing wonders which the prophet had ascribed exclusively to Omnipotence; "measuring the waters" of the ocean, "comprehending" not only "the dust of the earth in a balance," but estimating the gravity of systems, and meting out the very heavens "with a span," we were prepared to confess the grandeur of a science which, in our ignorance, we had despised; and to appreciate, in some measure, the majesty of that Being who could confer such mighty powers upon his creatures, without diminishing their infinite distance from himself.

The deficiency in the old mode of tuition originated with the books then placed in the learner's hands. Their authors had been contented to display the theory of their subject, and leave all practical applications to the teacher. They forgot to calculate the chances in favour of that individual being either incompetent to his duty or too indolent to perform it. The more modern books assume the whole duty, and enable an intelligent student to do nearly as well without, as with the aid of an instructor. Those on that particular branch, or rather application, of the mathematics with which we have to do, have been few and far between. Bowditch's *Navigation* has, since its first appearance, not only supplied our own seamen, but has gained an extensive circulation in the English service; and has only been superseded in the latter, within a few years, by Riddle's. The work at the head of this article is very lately from the press, and is the production of a passed midshipman in our navy. Though the world has ceased to wonder at every first instance of literature in a seaman, we think they will be surprised at the announcement of a scientific treatise from the pen of a midshipman.

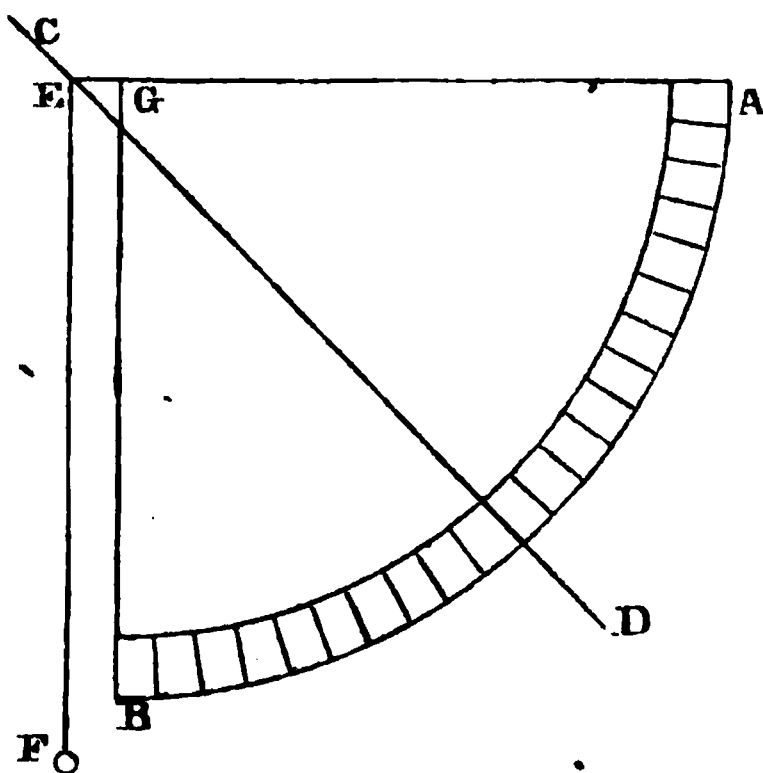
Whatever may be the merits of Mr. Maury's book, he deserves credit for the spirit which the attempt evinces. In itself it presupposes an amount of information, which, with all reverence for that branch of our national defence, is not common

to others of his rank, and an amount of industry, still less their characteristic. He has, however, the greater merit of having ventured with success. Having mastered the difficulties, which, in the absence of competent teachers, and competent books, assume so formidable an aspect to the beginner; having borne his own share of discouragement, and witnessed the despair of his less persevering companions, he is peculiarly fitted for the task he has assumed. He knows exactly where to find the difficulties, and how to remove them, and comes to the aid of his fellows, with the feeling of a knight of the olden time, to the rescue of his companions in arms.

The majority of mankind know less of navigation than of any other of the practical sciences. By common consent, the dwellers on terra firma have left the exclusive knowledge of its simplest principles to that portion of the species whose business is on the great deep. It is hoped, then, that a brief account of the modes in use, for tracing a ship's course, and finding her position, will not prove entirely uninteresting to some of our readers.

The position of a vessel is of course her latitude and longitude, or the point at which any line drawn parallel to the equator, intersects her meridian. The former indicates her distance from the equator, the latter from the prime meridian from which, by general consent, the degrees of longitude are counted. Unfortunately, the world has not been able to agree upon a prime meridian. Four nations, with ridiculous vanity, claim in this respect to give law to the world. England long since fixed on the meridian of Greenwich, and Spain on that of Cadiz. France, spurning the idea of vassalage to either of her then rivals, erected one of her own at Paris, and republican America, with less reason than either, counts her longitude from Washington. We shall, for the purposes of this article, consider Greenwich as *our* prime meridian. The latitude is easily deduced from astronomical observations. As early as the days of Prince Henry of Portugal, this mode of finding the latitude was practised, though with comparative inaccuracy. He invented an instrument, something like the quadrant of the present day, which he used to find the elevation of the north star. Supposing that star to be at the pole, it would appear to an observer, on the equator, to be precisely upon his horizon. If he advanced one degree north, the star would be that much elevated, and would continue to rise as he progressed, until having reached the pole, it would stand directly over his head. It followed, therefore, that the number of degrees the polar star was elevated above the horizon of any observer, indicated his latitude. The basis of this calculation being untrue, inasmuch as the north star is not precisely at the pole,

the conclusion founded upon it was of course inaccurate; and though the error of a few degrees was then considered a trifle, that mode of determining latitude has long been abandoned. It was manifest, that any other of the principal fixed stars offered equal advantages for the purpose. The altitude of a heavenly body is measured on a line supposed to be drawn through the zenith point of the observer, and the body itself to the horizon. The distance of the body from the horizon, measured on that line, is its altitude, and its distance from the zenith, its zenith distance. As the whole space from the zenith to the horizon is the quarter of a circle, and therefore measures 90° , if either zenith distance or altitude be known, the other is found by subtracting the known part from 90° . The altitude of a body, may be taken at any point after its rising, and when the latitude is to be found by what are called *double altitudes*, it is immaterial where. But it is evident that the distance of a star from the horizon, until it reaches the meridian, is changing every moment, and if the calculation be made at any number of intermediate points, the result would vary each time. But its altitude when on the meridian is always the same, at the same point on the earth. The sun affords the best opportunity for accurate calculation, and is always used for that purpose, when his disk can be seen. A star is in itself comparatively indistinct, and being visible only at night, when the verge of the horizon is undefined, it becomes very difficult to take a correct observation of its position. The sun, indeed, unlike the fixed stars, changes his latitude daily, but as it is known for every day in the year, the process is not more complicated. At half past eleven, on board our vessels of war, it is the rule to call the officers on deck to be prepared for the observation. This precaution is necessary, lest an error of the time-pieces, arising from the change of longitude, should cause a loss of the opportunity. In order to make the operation entirely intelligible to the uninitiated, we append the following



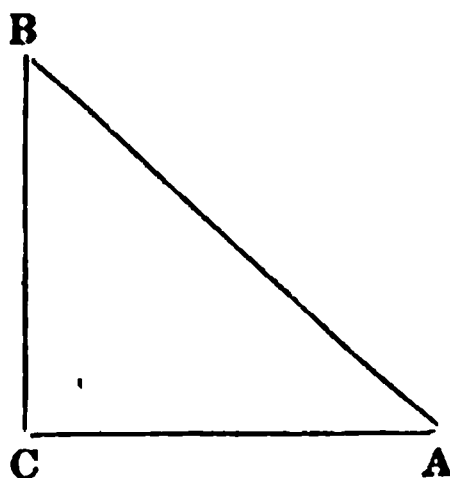
figure, in which GAB is the quadrant, AB represents the circular brass rim, in which the degrees are marked and numbered. CD is the telescope or eye tube, through which the observer looks at the body, whose altitude he is about to measure, and is made to move on the point at G. EF is a plumb line suspended from E; when the plumb line hangs parallel to the side of the quadrant GB, that side is of course perpendicular to the horizon, and points directly from the centre of the earth to the zenith, and the side GA, being at right angles to GB, is parallel to the horizon. If then the telescope be drawn down till it coincides with GB, it will point directly to the zenith; if it be raised to coincide with AG, it will point to the horizon. The distance from zenith to the horizon being divided by common consent into 90 degrees, the circular plate AB, upon which the end D of the telescope passes while the end C is changing its direction from the horizon to the zenith, is also divided into 90 degrees. If the telescope point at the latter, and in order to observe a star it is necessary to move the end C one 90th part of the whole distance, or one degree toward B, or the horizon, the end D must rise one 90th part, or one degree on the circular plate AB. The number of degrees then that the end D of the telescope is distant from B, shows the star's distance from the zenith. Those intervening between the same end and A exhibit its altitude. The instruments now used for this purpose are far more perfect than the one we have shown here for the mere purpose of exhibiting the principle common to them all. We have not attempted a description of them, having found from experience, that nothing will give a correct idea of a complicated piece of machinery but actual inspection.

The great deficiency in the old instruments, was in the want of some means of determining accurately when the object was in the meridian; as a slight mistake in that respect made a vast difference in the result. That object is now attained by the means of reflectors, which bring the sun's disk down to the verge of the horizon, and thus give the observer a definite line by which to mark it. If it has not yet reached its greatest altitude, but is still rising, after having been brought by the reflectors, to the horizon, it will be seen gradually to lift itself above it. If so, it must be again brought down by lowering the reflector, and the same thing repeated until it cease to rise. When near the meridian, its motion becomes very slow; when the motion ceases, it has reached it, and the observation must be immediately taken. In a few moments, the reflected disk will then sink below the horizon, as fast as it before rose. If then, for instance, the observation show Arcturus to be 20° south of the zenith, that star being 20° north of the equator,

it is evident the observer's latitude must be 40° north, about that of Philadelphia. If he take Capella, whose latitude is 45° north, as the basis of his calculation, and find it to be 5° north of his zenith, he must change the method, since he is now between the equator and the star, having been before north of both. The star being 45° north, and he 5° south of the star, it is evident that he is in latitude 40° north. The same observations apply of course to the sun, when his altitude is taken; except that when he is south of the equator, his latitude must be subtracted from his altitude, and the remainder shows the observer's latitude. This is called *finding the latitude by meridian altitudes*. When it happens that the sun is so obscured by clouds at mid-day, as to prevent an observation, the navigator must resort to the process of finding it by *double altitudes*. This is more intricate, and involves much more labour of calculation than the former. The altitude of the sun, for instance, is taken at any period of the day, when he can be seen through the clouds. The time being carefully noted, another opportunity, after about an hour's interval, is seized, and the altitude noted again. Having then represented on paper, the positions of the sun at the two observations, and drawn lines from each to the zenith and the pole, and joined them by another, he has three triangles, each having one side common to another. Of one of them he has given the zenith and polar distance of the sun at the time of observation, making two sides of the triangle, and the time elapsed between the two observations gives him an angle opposite one of them. These enable him to find all the parts, angles or sides of that triangle, one of which latter forms a side of the second. This discovery gives him two sides and an angle of that, and by the same process enables him to find all the parts of the third, one of which is the distance of the pole from the zenith of the observer. That subtracted from 90° leaves the latitude. Though it is not common to resort to this method, when a meridian altitude can be had, a good sailor, if the morning should indicate the prospect of a cloudy noon, will always take an observation of the sun at two points while it can be had, and then if he fails in getting the former, he can work up his latitude by the latter mode at his leisure. We have taken no notice heretofore of the corrections, which must be made to find the sun's true place, which, from several causes, is far from being his apparent one. The allowances to be made under all circumstances, are reduced to rule, and may be found in the nautical tables. The most important error arises from the refraction of the sun's rays, coming from a lighter into a denser medium, and making his disk appear much higher than it really is. The parallax arises from the observer's position being upon the surface, instead of

the centre of the earth, for which the rational horizon is calculated. This operates to sink the sun's apparent place lower than its real, though not enough to counterbalance the contrary effect of refraction. When the proper corrections are made of these errors, and others of less consequence arising from the aberration of light, &c. the true altitude is found, and the true latitude follows.

It still remains to find the ship's longitude. Having found thus much, the navigator may point out the parallel of latitude upon which he is, but for all he can tell from celestial observations, he may be any where between Nova Scotia and the mouth of Oregon. In former days, not far removed, the entire dependence for longitude was upon "dead reckoning," the whole mystery of which consisted in a careful record of the ship's bearings, and rate of sailing, from which her course was traced and her present position ascertained. By these means latitude was found at the same time as longitude, but as the means of ascertaining the former, from the bearing of the heavenly bodies, was introduced into general use before the more complicated methods of finding the latter, "dead reckoning" continued to be relied on for that purpose, long after it had ceased to be used for the former, except in cloudy weather, when it still is the navigator's sole reliance. Upon leaving the land, the ship's course is carefully noted, both from the shore and the compass, and thus the "departure" taken. After this, every thing depends for "dead reckoning" upon the compass, and the log; the former to ascertain the course, the latter the distance sailed. The log is a long line fastened to a piece of wood, something like a buoy, which being loaded at one end stands upright in the water. The cord is divided into a number of equal parts, by knots, which are termed *knots*, and *half-knots*; each knot being the 120th part of a mile. When every thing is ready to throw the log, an officer stands ready with the *log-glass*, which is emptied of its sand in 30 seconds, or the 120th part of an hour. After the log is in the water the glass is turned, and the number of knots noted, which run out as the vessel passes on her course in the 30 seconds. Each knot bearing the same proportion to a mile, which the time does to an hour, of course the number of knots sailed in that time indicate the number of miles the ship is going by the hour. This process is repeated hourly, and, for a few days together, affords the data for a pretty good guess at the true position of the vessel, though on long voyages it is far from satisfactory. The navigator having started from the point A in the annexed figure, finds by his compass that his bearing is in the direction AB, and by his log that the distance AB is twenty miles. In order to find his longitude at B, he must ascertain the difference



between that of A, (which having been his starting point he knows,) and B. The line AC is the parallel of latitude which passes through A; BC, the meridian, or parallel of longitude of B, and of course perpendicular to AC; AC, is then the difference of longitude, and BC of latitude, between A and B. ACB being a right angled triangle, if he has found his latitude at B, by astronomical observation, and consequently the length of the side BC, he may find the side AC by the 47th proposition of the first book of Euclid: which proves the square of AB to be equal to the sum of the squares of AC and BC, and consequently the square of AC to be equal to the difference between the square of AB and that of BC. But if, as is generally the case, the navigator, has recourse to his dead reckoning, for want of an opportunity for observation, and knows no more of his latitude than of his longitude, he has no data, but the length of the side AB and the angle at C, which being the point at which the meridian BC intersects the parallel of latitude AC is a right angle, and therefore 90 degrees, and the angle at A, which he has found by calculating the difference between the ship's course AB and a due east course AC. He has therefore two angles and the side of a triangle, and easily finds the other sides, one of which is the side AC the difference of longitude, and BC the difference of latitude, between A and B. That difference, added to the latitude and longitude of A, makes those of B. The veteran Commodore Rogers is said to have been singularly skilful in this kind of navigation, and to have made his famous cruise during the last war, in the *President*, without other help, and, what is the more remarkable, without miscalculation.

At this day, longitude is found whenever observations can be had from the lunar distances, and from the chronometer, the one being used to test the accuracy of the other. The moon, as every one knows, has a rapid motion among the fixed stars, and other heavenly bodies. Upon this, the whole system of lunar observations depends. The almanac contains the data from which the precise time the moon at Greenwich

appears at a certain distance from the sun, can be deduced. By noting, then, the time at which they assume the same relative position to the observer, he has the difference between his time and that of Greenwich. That difference will give the difference of longitude between the two places. The time of any place depends upon the sun's passage over its meridian. When that takes place, it is twelve o'clock, noon, and the other hours are counted from that period. The sun, rising in the east, and progressing westwardly, reaches the meridian of the more eastward of two places, before that of the other; and the time of the former will be faster than that of the latter, by precisely the time it takes the sun to travel from the former meridian to that of the latter. If, then, it be ascertained that the sun and moon have assumed to the observer, on shipboard, a relative position, two hours after the former passed his meridian, or at two o'clock, which they held at Greenwich at noon, his time is two hours behind that of his prime meridian, and he is evidently west of it. He knows that the sun passes over 15° of space in an hour of time, and that he must consequently be twice that many degrees west from Greenwich.

The method of finding longitude by chronometer, is only another mode of finding the difference of time between the ship's position, and the prime meridian. After that is accomplished, the process is the same as in the last described mode. The time, at the ship's position, having been carefully ascertained, as described in our account of the mode of finding latitude, from the sun's passage over the meridian, it only remains to fix the time at the prime meridian. For this purpose, modern ingenuity has constructed the chronometer, a kind of watch, of peculiarly accurate workmanship. Before leaving port, it is carefully regulated, and set to the true time of the prime meridian, found by astronomical observations. During the whole course of the voyage, it therefore preserves that time, and enables the navigator, whenever he can find his own true time, to tell with great accuracy his longitude. For the sake of greater certainty, it is usual to take at least three chronometers. Two are worse than one, since, if they differ, neither will be trusted. With three, there must always be a majority, unless, like the vanes on our court-houses, they make a point of no two ever agreeing. Even if this should be the case, the moon may be brought in as umpire, to decide upon their veracity, though it be something new under the sun, to make her the standard of truth. The use of these instruments has become universal in the merchant service. Our government is the only shipowner who refuses them to her vessels. The smaller of our national ships are not considered worth a chronometer. What particular amount of tonnage, or

how many immortal souls are estimated at head-quarters equal to that value, we have not learned.

These more accurate modes of computing longitude, simple as they are, have been of more recent introduction into our naval service than is generally supposed. As late as the year 1817 we remember to have heard it mentioned, as an affair of congratulation, that a certain frigate about to sail for Europe contained one officer acquainted with the method of taking a lunar observation, and he used to shut himself up in his room to work out the calculation. If we are not mistaken, there was a general order issued that none, on pain of the captain's displeasure, should, upon any account, interrupt him while engaged in that arduous duty. One of the advantages of the new arrangement by which midshipmen are compelled to undergo an examination before their promotion, is the attention they now find it necessary to devote to this subject. The officers who commanded our vessels during the late war, were inferior to none then or now in existence, in the discipline or sailing of their ships, or their management in battle. But the ignorance of some of them, touching the science of navigation, (an ignorance attributable to their defective education in that respect,) on some occasions has produced results that, but for good fortune, would have been more serious than ridiculous. A frigate, some years after the peace, sailed for the other hemisphere (we do not mean to be particular), intending to touch first at an island which shall be nameless. She sailed entirely by dead reckoning. The Gulf Stream, which in some parts runs two miles in the hour, was not considered worth notice in the calculation, and with a few other trifles was wholly neglected in the log. The commander on a certain day, when according to the best of his knowledge and belief he was fully three days' sail at sea, was startled by an announcement from the mast head of *land*. At first he refused to believe the fact, and threatened to punish the *lookout* for his carelessness, but the confirmation came in time to save him. Fortunately for the *island*, the ship came in sight by daylight. Had it occurred of a dark night, the unfortunate inhabitants would have been fairly run down before the unconscious ship's crew had found their mistake. In a subsequent part of her cruise, the same frigate was bound for a port, which, according to the calculation of her officers, formed upon the same accurate premises, was sixty miles to windward. The wind, as head winds are apt to be, was very strong, and after twenty-four hours' hard work the ship had made but eighteen miles. By this time a midshipman, who, to the amazement of the crew, had made a lunar observation, found that the official calculation, though right as to the distance from the port, contained a slight error in regard

to its bearing from the ship, inasmuch as, instead of sixty miles to windward, it was that far to leeward. Feeling more confidence in the moon than the dead reckoning, he ventured to advise, since sailing before the wind was much more expeditious, and in this instance more direct withal, for the haven where they would be, that the ship should be put right about. It was not, however, until another day's unprofitable beating had wearied the general patience, and a second observation had confirmed the first, that the experiment was tried, and in six hours the ship was in port.

Still more ludicrous miscalculations have arisen from mistakes in the allowance for the variation of the compass. It is known that the needle rarely points due north, but in some places has a permanent variation of one or two degrees to the east or west of that point. If the variation at a given place should be one degree east, a navigator wishing to sail due north, would steer one degree west of the magnetic pole. One would think this plain enough ; and yet it has actually occurred, under those circumstances, that commanders of vessels have made the allowance on the wrong side, until suddenly finding themselves off a lee shore, have become convinced of an error, which even then they were not perhaps able to detect. Our navy, it is notorious, contains officers whose path has been but sparingly on the "mountain wave." We have heard of an incident connected with one of these personages, who had risen to the command of a vessel, and was just making seaward upon, *to him*, a voyage of discovery. Sirius was in the south-west, just lifting himself in all his glory from above the deep, when a mischievous midshipman, who had seen more service than his commander, affecting a laudable desire for information, pointed to the star, and enquired *what light it was*. The captain looked all round the horizon, as if in hope of finding some mark by which to frame a reply, and then, lifting up his arms with a ludicrous air of abandonment, exclaimed, "Heaven knows, *I don't*." We remember ourselves having wasted a precious half hour in a vain effort to convince another gentleman who had attained some rank in the service, that the great bear was *not* the Pleiades, or as he was pleased to call them the "*Peleads*." Of course, having sailed by them upon the trackless deep, and found his haven under their auspices, he knew better than we did, and retained his opinion, in despite of our benevolent efforts for his instruction.

Let it not be supposed for a moment that, by these incidents, we desire to do injustice to our gallant and victorious navy. They all occurred some years since, and even then formed exceptions to the general rule. We have only adduced them to show, that officers may attain the command of ships, and

yet remain deficient in some of the most important articles of their professional education. With the exception of the one who mistook a fixed star for a light-house, the gentlemen to whom we have alluded were, in all respects save one, good seamen ; and our friend whose acquaintance with the Pleiades was so doubtful, had done the country service. If these things occurred when our navy was small, and our officers were kept in almost constant service, they may much more readily occur now, that a large portion of their time is spent on shore. It is therefore peculiarly necessary that their want of actual experience should be supplied, as far as books can teach it, by a complete acquaintance with the theory of their profession.

This has been the object of Mr. Maury's book. It is strictly practical throughout. There is no attempt at dissertation or flourish. The general principles, are laid down in the fewest possible words. Every thing not directly in point is thrown aside. Having explained the first principles, he proceeds to demonstrate the problems of geometry, on which the more advanced rules depend, and then explains, with a remarkable combination of simplicity and brevity, the best modes of working the necessary problems. It is marvelous how much he has compressed into the small compass of his book. Any one who has found from experience how much more difficult it is to condense than to be diffuse, will be convinced that the author's labour has been much greater than, at first sight, appears to be the case. For the sake of ready reference, each separate principle, or problem, has its number ; and whenever, in the subsequent part of the book, a rule depending upon either is referred to, the number is annexed : so that though the student may have forgotten what has gone before, he can readily trace back each conclusion to the axiom on which it has been built, and has no excuse, if he be willing to acquiesce in the truth of any thing, without knowing the steps by which the fact has been demonstrated. If, to the mere beginner, it should be found that the author has compressed too much, that objection cannot apply to the book in the character of a manual for use at sea. The principal novelty in the work is the diagram, on its first page, intended to show by mere inspection the solution of every problem which can occur in right angled plane trigonometry, and of course in loxodromic sailing. If it is not new, we at least have never seen it before, and if, as we believe, the invention of the author, it displays considerable ingenuity. If fitness to the intended end constitute beauty, this diagram is beautiful.

In concluding this notice, we cannot refrain from an expression of the hope that Mr. Maury will be remembered by the department. Promotion, except in his turn, is of course out of

the question. But there are stations and duties, apart from the ordinary business of a midshipman, for which Mr. Maury must be peculiarly fitted, and to which some additional pay is appended. The establishment of a national observatory will, it is believed, soon afford the department this opportunity. In the mean time, it cannot be doubted that it will seize the first occasion to secure, for the country's sake, the services of an officer of our author's scientific attainments, in the duties for which he is so competent, while, at the same time, it will reward merit, and encourage others by the example of its success.

ART. VI.—AMERICAN LYRIC POETRY.

1. *Alnwick Castle, with other Poems.* By FITZ GREENE HALLECK. 8vo. pp. 96. New York: George Dearborn. 1836.
2. *The Culprit Fay, and other Poems.* By JOSEPH RODMAN DRAKE. 8vo. pp. 84. New York: George Dearborn. 1836.

The condition of society in the United States is of such a character as to forbid the hope that writings, purely imaginative, particularly those of a higher and more refined caste, will derive from the public an encouragement sufficient to promote their increase, for many years.

The numberless projects which absorb the faculties of our countrymen, having for their ends objects of *utility*, and arising from a restless spirit of enterprise, and an unquenchable thirst of gain, are inconsistent with the attainment of that mental discipline which alone can appreciate the sublime and the beautiful, and lead man to the contemplation of things which partake not of the *profitable* realities of life.

To repress the wanderings of fancy, and to deaden the aspirations of genius, which, under other circumstances, would have been abandoned to their natural inclinations, is the inevitable result of this universal prevalence of utilitarian doctrines; and if in a society thus organised, an individual may sometimes arise, who escapes the contagion that surrounds him, and uninfluenced by the earth-born propensities which govern his fellows, gives way to the impulses of a poetical imagination, it is no contradiction of the general truth, that man's character receives its impress from external circumstances; but is merely an *exception*, which shows that nature is sometimes too strong to be overcome by the corruptions of example.

The character of every mind is peculiar to itself. As the physical formations of no two individuals bear an exact resemblance to each other, so the moral constitutions of all are in some respects different. Thus the bent of some may lead them to the cultivation of philosophical science, while that of others may direct them to the practice of the mechanic arts; and the state of almost every civilised society is favourable to these pursuits, because they may be applied both to the gratification of literary and luxurious, and the promotion of utilitarian objects.

But the man who is gifted with a vivid imagination; whose every word and thought stamps him a predestined poet, and whose divine inspirations need but the slightest encouragement to confirm the endowments of nature, and effect their full development, is too often forced, by the constitution of society and the influence of circumstances, from the path which his Creator seems to have marked for him.

“ Quale i fioretti, dal notturno gelo
Chinati e chiusi, poi che'l sol gl'imbianca,
Si drizzan tutti aperti in loro stelo;”

The excitements of commerce; the gamblings of the stock exchange, and the rage for land speculations, combine themselves into one vast whirlpool, and the money-loving citizens of the republic, “democrats” and “whigs”—“heroes, patriots, and statesmen,” are drawn headlong into its vortex.

If, then, the poetical literature of America has not assumed as high a rank in the scale of merit, as that of some nations of the other hemisphere, we have before us sufficient to prove that it is owing to no deficiency of those materials which are necessary to the formation of a true poet, but is the natural effect of the causes we assign for it. These causes will continue to exist so long as the country shall open such vast resources, and hold out such great rewards to the spirit of speculation and enterprise.

Such being the state of society in America, and such the control which it must naturally exercise over the characters and pursuits of her citizens, let us turn for a moment to the early settlement of the country, and observe how the poetry of that day accorded with the simple habits of our ancestors.

It has been said by an eminent writer, that the lyric is the first style of poetry adopted at the commencement of a nation's literature. Experience has taught us the truth of this remark, and the reasons for it are obvious. A first essay at poetical composition is always prompted by the impulses of the heart; never by ambition or the desire of pecuniary gain. The early days of the American colonies offered but little encouragement to the exercise of a dramatic talent, and the majestic pace of

the epic was still less in accordance with the spirit of the times and the manners of the people. These, like history, must represent the true character of man, as it existed in past ages, and historical writings cannot be produced without historical events for subjects. In the infancy of nations there is no *past* for the contemplation of the historian, unless he shall look for it beyond the limits of his own country; and the ripeness of a literature being in a great measure proportioned to its age, this but rarely happens.

But the lyric being that species of verse which is distinguished by predominance of feeling, and by which the poet directly expresses the emotions of his heart, it is natural that this should be the character of his first compositions. Accordingly, we find that the ode was the earliest species of poetry ever adopted. So far back as the days of King David, it was the medium of thanksgiving to the Almighty for his benefactions to man, and was also employed to offer up petitions for aid, in times of trouble and distress. Many of these odes were composed by David himself, and were collected by the Jewish sanhedrim in the book of Psalms.

A chief reason, however, which influences the early poet in the selection of the lyric style, is the unlimited freedom which it possesses; for the lyric writer, inspired with the beauty and fascination of his subject, and borne away by the force of excitement, may neglect grammatical niceties, and ordinary methods of expression, and disdain the strictness of rule, though he cannot disregard the dictates of reason.

But few attempts have been made by our poets at epic composition, and the only efforts of any importance as to length, of which we have a knowledge, are the productions of Barlow and Emmons. As it does not come properly within our province to discuss their characters, we will merely remark, *en passant*, that the COLUMBIAD—when we consider the nature of the subject, and that its publication followed so closely the times of which it treats—is a respectable composition. The FREDONIAD, a palpable and decided failure.

The poetry of the United States, being yet in its infancy, is principally, therefore, of the lyric style. Of the *song*, a species of lyrical composition which is often set to music, great numbers exist of purely American origin, the best of which, we venture to assert, may challenge a comparison with some of the celebrated productions of the English lyre. The great latitude of subject which the song admits, and the comparative freedom from that restraint which binds the poet in epic or dramatic writing, may make it appear, at first sight, an easy species of composition; and the error is not unnatural. But in the words of Buckingham,

“ Though nothing seems more easy, yet no part
Of poetry requires a nicer art.”

For the verses should be natural, graceful, and harmonious—the sweetness of poetry and music should be skilfully combined—grossness and vulgarity studiously avoided, and the feeling of the poet expressed in language of purity and virtue. The feeling represented should itself be poetical—the imagery which accompanies it, beautiful—and the expression, refined and eloquent. To combine all the qualities which are necessary to constitute a lyric poem of the first merit, requires genius of no common order; and though its exhibition is of rare occurrence—wonderfully so, when we consider the immense number of lyrical writings that are constantly showered upon the world—we trust we shall be able to show, before we have concluded, that American poets have appeared, although few in number, who may justly claim a share of the divine attribute.

We were speaking of the simple habits of our ancestors, and the consequent character of their attempts at poetical composition, when we were led into a short digression by some reflections upon the nature of lyric poetry. By glancing at these early productions, and comparing them with those of the present day, we may observe the great revolution which has taken place in our poetical literature.

According to Mr. Kettell, the first essay of the kind on this side of the Atlantic, was a description of New England, in Latin hexameter; the author was a clergyman—by name, William Morell. This poem has been preserved in the Memoirs of the Historical Society of Massachusetts, in which colony it was written, in the year 1623. The first poetical production in the English language, however, was a version of the Psalms of David, published in 1640; and the book in which it was contained was the first ever printed in the United States. The metrical translation which had previously been used was not considered sufficiently faithful to the original; it was, therefore, deemed expedient to prepare a more literal version, and the most eminent divines of the country were employed upon the work. It seems to have been the object of the translators to adhere as closely to the Hebrew original as the nature of their task would admit; and the reader will perceive, from the following specimen of their labours, that they neither failed in their endeavours to give a faithful paraphrase, nor in their adherence to the laws of metre. How much of the royal psalmist's poetic fire they may have caught, will admit of more question.

PSALM CXXXVII.

- " 1. The rivers on of Babilon,
there when wee did sit downe;
Yea even then wee mourned when
wee remembered Sion.
- " 2. Our harp wee did hang it amid
upon the willowe tree,
Because they there that us away
led in captivitee
- " 3. Requir'd of us a song; and thus
ask't mirth us waste who laid,
Sing us among a Sion's song,
unto us then they said:
- " 4. The Lord's song sing can wee? being
in strangers land, then let
Loose her skill my right hand if I
Jerusalem forget.
- " 5. Let cleave my tongue my pallate on
if minde thee doe not I,
If chiefe joyes o're I prize not more
Jerusalem my joy.
- " 6. Remember Lord, Edoms sons' word,
unto the ground said they,
It rase it rase, when as it was
Jerusalem her day.
- " 7. Blest shall hee bee that payeth thee
daughter of Babilon,
Who must be waste, that which thou hast
rewarded us upon.
- " 8. O happie hee shall surely bee
that taketh up, that eke
Thy little ones against the stones
doth into pieces breake."

The reverend translators of the Psalms seemed to have been themselves aware of the hirsuteness of their productions, as the preface to their publication indicated; for, said they, "if the verses are not alwaies so smoothe and elegant as some may desire and expect, let them consider that God's altar needs not our polishing," &c.

The original psalm, of which the foregoing is a version, is full of divine feeling, and in the hands of a true poet, whose inspirations are not fettered to the drudgery of a literal translation, it is susceptible of a perfect paraphrase. The tone of beauty and melancholy, which so eminently characterises the original, may be infused into every line of the English version;

and, so far from this freedom of translation detracting from the sacred character of the subject, it would rather be a protection from the profane ridicule of the frivolous and unthinking.

A word here on the subject of translations. Many of our youthful aspirants for the honours of Parnassus, begin their career by poetical versions from Latin authors ; and most of them seem to think that a rigid adherence to their original is necessary to preserve the resemblance between it and the translation. This is a great error. - Before a translation can be produced, which may lay claim to the smallest merit as an imitation, it will be necessary closely to investigate the relations which exist between the two languages. When Latin is rendered into English, it does not follow that a word should be adopted which corresponds literally in signification with the original ; but the meaning that the Latin authors intended to convey must first be considered, and then the words, which will carry the same meaning in the English language, should be used in the translation. The *ideas* of the original author should be translated as well as the *words*, even in prose ; and in a poetical version, the translator should endeavour to imitate, as well as to render. Thus, for example, take a line from Horace,—

“Creditor, ex medio quia res arcessit, habere
Sudoris minimum”—

which is translated (we believe by Addison) as follows,—

“To write on vulgar themes is thought an easy task”—

In this way the sense of the author is duly respected, and his refinement preserved inviolate—whereas a literal translation of the line would be the extreme of coarseness and vulgarity. We proceed, in further proof of our position, to the quotation of another version of the 137th psalm. It is by Halleck. The reader may make his own comparison.

“We sat us down and wept,
Where Babel’s waters slept,
And we thought of home and Zion as a long gone happy dream ;
We hung our harps in air,
On the willow boughs which there,
Gloomy as round a sepulchre, were drooping o’er the stream.

“The foes, whose chain we wore,
Weré with us on that shore,
Exulting in our tears that told the bitterness of wo.
‘Sing us,’ they cried aloud,
‘Ye, once so high and proud,
The songs ye sang in Zion ere we laid her glory low.’

“And shall the harp of heaven,
To Judah’s monarch given,
Be touched by captive fingers, or grace a fettered hand ?

No! sooner be my tongue
Mute, powerless, and unstrung,
Than its words of holy music make glad a stranger land.

“May this right hand, whose skill
Can wake the harp at will,
And bid the listener’s joys or griefs in light or darkness come,
Forget its godlike power,
If for one brief, dark hour,
My heart forgets Jerusalem, fallen city of my home!

“Daughter of Babylon!
Blest be that chosen one,
Whom God shall send to smite thee when there is none to save;
He from the mother’s breast
Shall pluck the babe at rest,
And lay it in the sleep of death beside its father’s grave.”

Before we remark at large upon the works, whose titles are placed at the head of this article, we will take occasion to mention a few of the poets of this country, who are most distinguished in lyrical composition.

We regard James G. Percival as one of the few poets in the world, who, standing in the first rank of a bad school of poetry, has succeeded in imparting an universal fascination to many of his compositions. It does appear to us that he who adopts the style of the Lakists as his model, is generally devoid of the true spirit of poetry. He seeks by metaphysical abstractions, and depth of learning, to compensate for the absence of a poetical imagination. He drags forth hidden resemblances, and combines forced associations, which, in nine instances out of ten, will be found dissimilar to each other; and his writings are shrouded in a veil of mystery, which the reader may seek in vain to penetrate.

These, in our opinion, are the distinguishing characteristics of the Lake poets, and if Percival may claim some exemption from the general attributes of his class, it is because he possesses a natural genius, that, despite of himself, shines through the mist with which he envelops it. A rich poetical imagination, coupled with the faculty of abstract reflection and reasoning, may sometimes succeed in giving interest to a bad species of composition, or an ill chosen subject; but a combination of these two faculties of the mind is so rare a circumstance, that the world of letters has almost ceased to look for it. The productions of even such a writer are often unintelligible to an ordinary mind; and there are hundreds of passages in the works of Shelley, take, for instance, the “Revolt of Islam,” which we defy the most profound metaphysician in the universe to elucidate.

The poetry of Percival bears evident marks of hasty composition. It seems to have been sent to the press, precisely as it

could find in the winter version of the slightest alteration. There is no easy excuse in the sentence of words; no suggestion of the possibility of error. Every thought that is presented to the mind is written and all that is written is pronounced. This limited style of composition has many disadvantages: but in the case of Petrarch it is the carelessness of a man who has confidence that his poems will not betray him.

We wish to refer more especially, however, to the lyrics of Petrarch: and in these it will be seen that he shines forth in the character of a true poet. We give the following serenade as an instance. It is simple, touching, and beautiful.

"Softly the moonlight
Is shed on the lake,
Cool is the summer night—
Wake! oh awake!
Faintly the curlew
Is heard from afar,
List ye! O list
To the lively guitar.

"Trees cast a mellow shade
Over the vale,
Sweetly the serenade
Breathes in the gale
Softly and tenderly
Over the lake,
Gaily and cheerily—
Wake! oh awake!

"See, the light pinnace
Draws nigh to the shore,
Swiftly it glides
At the heave of the oar;
Cheerily plays
On its buoyant car,
Nearer and nearer
The lively guitar.

"Now the wind rises
And ruffles the pine,
Ripples, foam-crested,
Like diamonds shine,
They flash, where the waters
The white pebbles lave,
In the wake of the moon,
As it crosses the wave.

"Bounding from billow
To billow, the boat
Like a wild swan is seen
On the waters to float;
And the light dipping oars
Bear it smoothly along,
In time to the air
Of the gondolier's song.

"And high on the stern
Stands the young and the brave,
As love-led he crosses
The star-spangled wave,
And bleeds with the murmur
Of water and grove
The tones of the night,
That are sacred to love.

"His gold-hilted sword
At his bright belt is hung,
His mantle of silk
On his shoulder is flung,
And high waves the feather,
That dances and plays
On his cap, where the buckle
And rosary blaze.

"The maid from the lattice
Looks down on the lake,
To see the foam sparkle,
The bright billow break;
And to hear, in his boat,
Where he shines like a star,
Her lover so tenderly
Touch his guitar.

"She opens the lattice,
And sits in the glow
Of the moonlight and starlight,
A statue of snow;
And she sings in a voice
That is broken with sighs,
And she darts on her lover
The light of her eyes.

"His love-speaking pantomime
Tells her his soul—
How wild in that sunny clime,
Hearts and eyes roll.
She waves, with her white hand,
Her white fazzolette;
And her burning thoughts flash
From her eyes' living jet.

"The moonlight is hid
In a vapour of snow;
Her voice and his rebeck
Alternately flow;

Re-echoed, they swell
From the rock on the hill,
They sing their farewell,
And the music is still."

We are not quite satisfied with the stanza which precedes the last,—our own experience will not enable us to say, whether the passion of love causes such revolutionary movements in the hearts and eyes of lovers as our author speaks of, but to us the expression seems to border closely on the burlesque. This is a fault, however, to which want of care will subject any writer. Space will not allow us to give further instances from the lyrics of this excellent poet; and, therefore, merely referring to his beautiful lines "On Spring," as well as to those "On Consumption," we pass on to William Cullen Bryant. The greater part of Bryant's poetry belongs also to the Lake school, yet it appears to us far less misty and confused than that of most poets of his class. It is written with much more care; and, therefore, is more polished than the compositions of Percival, and is more easy and graceful, because more regular. No startling and abrupt images are employed, for the purpose of surprising the reader into admiration; but the images which are used are judiciously chosen, and skilfully introduced. There is more depth of feeling and lofty sentiment, and fewer glaring faults than in the poetry of Percival, but there is also less boldness and excursiveness of fancy; and, as it were, a certain timidity which marks a less original genius.

The lyric poems of Bryant are distinguished by delicacy and richness, and their unvarying fidelity to nature. They contain no violations of good taste, by overstrained or feeble comparisons; and no daring flights or bold digressions, but he speaks to the heart of man in the eloquent language of feeling.

An unpretending beauty marks the following lines, "To a Waterfowl."

"Whither, 'midst falling dew,
While glow the heavens with the last steps of day,
Far through their rosy depths, dost thou pursue
Thy solitary way?

"Vainly the fowler's eye
Might mark thy distant flight to do thee wrong,
As, darkly painted on the crimson sky,
Thy figure floats along.

"Seek'st thou the plashy brink
Of weedy lake, or marge of river wide,
Or where the rocking billows rise and sink
On the chafed ocean side?

"There is a power whose care
Teaches thy way along that pathless coast,—

The desert and illimitable air,—
Lone wandering, but not lost.

“ All day thy wings have fann’d,
At that far height, the cold thin atmosphere ;
Yet stoop not, weary, to the welcome land,
Though the dark night is near.

“ And soon that toil shall end,
Soon shalt thou find a summer home, and rest
And scream among thy fellows ; reeds shall bend
Soon o’er thy sheltered nest.

“ Thou’rt gone, the abyss of heaven
Hath swallowed up thy form ; yet, on my heart
Deeply hath sunk the lesson thou hast given,
And shall not soon depart.

“ He, who, from zone to zone,
Guides through the boundless sky thy certain flight,
In the long way that I must tread alone,
Will lead my steps aright.”

There are other American writers who have acquired considerable repute, as lyric poets, and who, did not our limits forbid, might be more extensively noticed here. The lyrics of Sands, Pierpont, Willis, and others of various merit, have found their way into every part of the country,—and as far as this species of composition can establish and perpetuate poetical fame, some of them will not be forgotten.

We were about taking up the volume of Halleck, for the purpose of noticing its contents, when our eye fell upon some stanzas, which we will submit to the reader, as well as a single word in relation to their author.

Many of the lyric poems of Willis G. Clark are characterised by a simplicity and pathos which leave a deep impression upon the heart. A vein of pure and unaffected feeling runs throughout, and the profuseness of beautiful imagery bespeaks the redundant fancy of the poet. Of the longer poems of Clark we cannot speak as approvingly. They appear to have been written with haste ; and as the models upon which they are framed are essentially bad, little was to be expected from them. Even good workmanship is of little avail with bad materials.

The “ Lament,” which we give as a specimen of this writer’s lyric poems, is altogether perfect of its kind.

“ There is a voice, I shall hear no more—
There are tones, whose music for me is o’er ;
Sweet as the odours of spring were they,—
Precious and rich—but they died away ;
They came like peace to my heart and ear—
Never again will they murmur here ;

They have gone like the blush of a summer morn,
Like a crimson cloud through the sunset borne.

"There were eyes, that late were lit up for me,
Whose kindly glance was a joy to see;
They revealed the thoughts of a trusting heart,
Untouched by sorrow, untaught by art;
Whose affections were fresh as a stream of spring
When birds in the vernal branches sing;
They were filled with love, that hath passed with them,
And my lyre is breathing their requiem.

"I remember a brow, whose serene repose
Seemed to lend a beauty to cheeks of rose:
And lips, I remember, whose dewy smile,
As I mused on their eloquent power the while,
Sent a thrill to my bosom, and bless'd my brain
With raptures, that never may dawn again;
Amidst musical accents, those smiles were shed—
Alas! for the doom of the early dead!

"Alas! for the clod that is resting now
On those slumbering eyes—on that faded brow;
Wo for the cheek that hath ceased to bloom—
For the lips that are dumb, in the noisome tomb;
Their melody broken, their fragrance gone,
Their aspect cold as the Parian stone;
Alas for the hopes that with thee have died—
Oh loved one!—would I were by thy side!

"Yet the joy of grief it is mine to bear;
I hear thy voice in the twilight air;
Thy smile, of sweetness untold, I see
When the visions of evening are borne to me;
Thy kiss on my dreaming lip is warm—
My arm embraceth thy graceful form;
I wake in a world that is sad and drear,
To feel in my bosom—thou art not here.

"Oh! once the summer with thee was bright;
The day, like thine eyes, wore a holy light.
There was bliss in existence when thou wert nigh,
There was balm in the evening's rosy sigh;
Then earth was an Eden, and thou its guest—
A Sabbath of blessings was in my breast;
My heart was full of a sense of love,
Likest of all things to heaven above.

"Now, thou art gone to that voiceless hall,
Where my budding raptures have perished all;
To that tranquil and solemn place of rest,
Where the earth lies damp on the sinless breast;
Thy bright locks all in the vault are hid—
Thy brow is concealed by the coffin lid;—
All that was lovely to me is there—
Mournful is life, and a load to bear!"

Turn we now to the compositions of the first lyric poet of his land—FITZ GREENE HALLECK.

If there be in the English language a phrase that is better fitted than another to convey our sense of the merits of Halleck's verse, we should express as its principal characteristics, a great vigour of language, and a surpassing brilliancy of thought. His poetical images flow with the sweetest melody; he is powerful, even when most harmonious; and evidently is no advocate of the doctrine that sound is an echo to the sense. While his poetry delights the ear with its music, it elevates the spirit by its high-toned sentiment. It provokes in our minds new thoughts, and in our hearts it awakens a world of animated feeling. Every thing that comes from the hand of this admirable poet is replete with chaste and exquisite beauties, reflections from the mirror of nature. Nothing is rough—nothing overstrained, feeble, or misplaced.

We know that this is high praise, and we are aware that unmingled eulogy often excites distrust, because it is so frequently applied to writers who do not deserve it. We turn the reader, however, to one or two selections from Halleck's writings.

The following lines were written in September, 1820, after the death of Joseph Rodman Drake, the intimate friend of our author.

"Green be the turf above thee,
Friend of my better days!
None knew thee but to love thee,
Nor named thee but to praise.

"Tears fell, when thou wert dying,
From eyes unused to weep,
And long, where thou art lying,
Will tears the cold turf steep.

"When hearts, whose truth was proven
Like thine, are laid in earth,
Then should a wreath be woven
To tell the world their worth.

"And I, who woke each morrow
To clasp thy hand in mine,
Who shared thy joy and sorrow,
Whose weal and wo were thine;

"It should be mine to braid it
Around thy faded brow,
But I 've in vain essayed it,
And feel I cannot now.

"While memory bids me weep thee,
Nor thoughts nor words are free,
The grief is fixed too deeply
That mourns a man like thee."

We now give a few stanzas "On Domestic Happiness." They appear in striking contrast with the verses "On the Death of Drake." The one exhibits the simple pathos of which the poet is capable, and the other will serve to show the playfulness of his fancy.

I.

"Beside the nuptial curtain bright,"
The bard of Eden sings,
"Young love his constant lamp will light,
"And wave his purple wings."
But rain-drops from the clouds of care
May bid that lamp be dim,
And the boy Love will pout and swear
'Tis then no place for him.

II.

So mused the lovely Mrs. Dash ;
'Tis wrong to mention names ;
When for her surly husband's cash
She urged in vain her claims.
"I want a little money, dear,
"For Vandervoort and Flandin
"Their bill, which now has run a year,
"To-morrow mean to hand in."

III.

"More?" cried the husband, half asleep,
"You 'll drive me to despair!"
The lady was too proud to weep,
And too polite to swear.
She bit her lips in very spite :
He felt a storm was brewing,
And dreamed of nothing else all night
But brokers, banks, and ruin.

IV.

He thought her pretty once, but dreams
Have sure a wondrous power,
For to his eye the lady seems
Quite altered since that hour—
And Love, who on their bridal eve
Had promised long to stay,
Forgot his promise, took French leave—
And bore his lamp away.

The foregoing extracts are not, by any means, the most favourable specimens of Halleck's poems. We have selected them, partly for the purpose of giving an idea of the different styles which mark his compositions; and partly on account of their brevity, the limits of a review not always admitting the insertion of long extracts. "Alnwick Castle," and "Marco Bozzaris," are already too familiar to the reader, to require farther notice from us. They have been circulated widely in

America, and republished in England, and have received the favourable remarks of competent critics in both countries. In the volume before us, there are some poems in the Spenserian stanza—that most beautiful of all measures for narration or description—which would induce us to augur well of an effort by Mr. Halleck, in that branch of poetry. He has, however, never written—at least he has never published—any work of sufficient importance as to length, to establish his fame upon a permanent basis, but seems to be satisfied with a comparatively ephemeral reputation. We regret this, because we believe he is better competent to the execution of such a task, than any other American poet. His general learning may not be so extensive as that of some who might be mentioned, but his judgment is sound and his taste correct; his imagination is exuberant, and withal so well disciplined, that he would not be in danger of involving himself in the labyrinth of mysticism, in which the writings of some of our modern Lakists are inextricably involved. We recommend Mr. Halleck's book to the perusal of our readers.

JOSEPH RODMAN DRAKE, the author of the second work named at the head of this article, had hardly started into public notice, when, at the early age of twenty-five years, he died.

In 1819, a series of Pindaric odes was published in one of the New York journals, with the signature of Croaker and Co., which excited much public attention. They were full of playful humour; sometimes keenly satirical; and being of that local character which raises individual curiosity, many efforts were made to discover the authors. These exertions were, after a time successful, and the partners composing the firm of Croaker and Co. appeared in *propriis personis*, under their lawful titles of Fitz Greene Halleck, and Joseph Rodman Drake.

Thus did the merits of the two friends first dawn upon the public, and from that moment we may date the commencement of their poetical reputation. But a short time elapsed from this period until the death of Drake—we believe not more than a year—and it was not until that event that his lyric poems were published in a collected form. It is to such a collection that our attention is now drawn.

The poem which commences the volume before us, is entitled "The Culprit Fay." It is a fairy tale, told with great spirit and playfulness. The following is a brief outline of the story.

The scene is laid at the "Crow Nest," on the Hudson, near West Point; the time midnight, "the dawn of the fairy day." The elfin sentinel sounds upon his bell, a signal to the fairy habitants of the region to meet at their nightly revels; and when they issue from their resting places, in obedience to the summons, the poem tells us—

"They come from beds of lichen green,
They creep from the mullen's velvet screen;
Some on the backs of beetles fly
From the silver tops of moon-touched trees,
Where they swung in their cobweb hammocks high,
And rocked about in the evening breeze;
Some from the humbird's downy nest—
They had driven him out by elfin power,
And pillowed on plumes of his rainbow breast,
Had slumbered there till the charmed hour;
Some had lain in the scoop of the rock,
With glittering ising-stars inlaid;
And some had opened the four o'clock,
And stole within its purple shade—
And now they throng the moonlight glade,
Above—below—on every side,
Their little minim forms arrayed
In the tricky pomp of fairy pride!"

The fairies are called on this occasion to attend the court of their sovereign. It had been discovered that an ouphe had broken his vestal vow, by falling in love with an earthly maid. This was a deadly crime, and cried loudly for punishment; and the royal fay had summoned his lords and commons to be present, when the doom was pronounced on the unhappy culprit. The scene of judgment is then described. The monarch is seated on his throne, surrounded by peers and privy counsellors. The prisoner stands before him, awaiting the knowledge of his fate. The king commences his speech, previously to passing sentence, in these words—

"Fairy! Fairy! list and mark,
Thou hast broke thine elfin chain,
Thy flame-wood lamp is quenched and dark,
And thy wings are dyed with a deadly stain—
Thou hast sullied thine elfin purity
In the glance of a mortal maiden's eye,
Thou hast scorned our dread decree,
And thou shouldst pay the forfeit high,
But well I know the sinless mind
Is pure as the angel forms above,
Gentle and meek, and chaste and kind,
Such as a spirit well might love"—

His majesty goes on to observe, that had the maiden been stained with the slightest spot or blemish, the culprit fay should have received a bitter punishment—such, for instance, as being tied fast to a hornet's wings—run through and through with the stings of nettles—imprisoned at hard labour in a walnut shell, to be fed and clothed as the law directs—thrown into a dungeon of cobwebs, among the carrion remains of murdered bugs and assassinated flies, with a spider for a jailer—besides

came from his pen, without revision, or the slightest alteration. There is no nicety exhibited in the selection of words; no suppression of the redundance of images. Every thought that is presented to his mind is written, and all that is written is published. This hurried style of composition has many disadvantages; but in the case of Percival it is the carelessness of a man who feels confident that his genius will not betray him.

We wish to refer more especially, however, to the lyrics of Percival; and in these, it will be seen, that he shines forth in the character of a true poet. We give the following serenade as an instance. It is simple, touching, and beautiful.

"Softly the moonlight
Is shed on the lake,
Cool is the summer night—
Wake! oh awake!
Faintly the curfew
Is heard from afar,
List ye! O list
To the lively guitar.

"Trees cast a mellow shade
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Sweetly the serenade
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Softly and tenderly
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Gaily and cheerily—
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Draws nigh to the shore,
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Bear it smoothly along,
In time to the air
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"And high on the stern
Stands the young and the brave,
As love-led he crosses
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On his cap, where the buckle
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At that far height, the cold thin atmosphere ;
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“ And soon that toil shall end,
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The “ Lament,” which we give as a specimen of this writer’s lyric poems, is altogether perfect of its kind.

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There are tones, whose music for me is o’er ;
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Precious and rich—but they died away ;
They came like peace to my heart and ear—
Never again will they murmur here ;

They have gone like the blush of a summer morn,
Like a crimson cloud through the sunset borne.

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They revealed the thoughts of a trusting heart,
Untouched by sorrow, untaught by art ;
Whose affections were fresh as a stream of spring
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They were filled with love, that hath passed with them,
And my lyre is breathing their requiem.

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And lips, I remember, whose dewy smile,
As I mused on their eloquent power the while,
Sent a thrill to my bosom, and bless'd my brain
With raptures, that never may dawn again ;
Amidst musical accents, those smiles were shed—
Alas ! for the doom of the early dead !

" Alas ! for the clod that is resting now
On those slumbering eyes—on that faded brow ;
Wo for the cheek that hath ceased to bloom—
For the lips that are dumb, in the noisome tomb ;
Their melody broken, their fragrance gone,
Their aspect cold as the Parian stone ;
Alas for the hopes that with thee have died—
Oh loved one !—would I were by thy side !

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Thy smile, of sweetness untold, I see
When the visions of evening are borne to me ;
Thy kiss on my dreaming lip is warm—
My arm embraceth thy graceful form ;
I wake in a world that is sad and drear,
To feel in my bosom—thou art not here.

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There was balm in the evening's rosy sigh ;
Then earth was an Eden, and thou its guest—
A Sabbath of blessings was in my breast ;
My heart was full of a sense of love,
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Mournful is life, and a load to bear !"

Turn we now to the compositions of the first lyric poet of his land—FITZ GREENE HALLECK.

If there be in the English language a phrase that is better fitted than another to convey our sense of the merits of Halleck's verse, we should express as its principal characteristics, a great vigour of language, and a surpassing brilliancy of thought. His poetical images flow with the sweetest melody; he is powerful, even when most harmonious; and evidently is no advocate of the doctrine that sound is an echo to the sense. While his poetry delights the ear with its music, it elevates the spirit by its high-toned sentiment. It provokes in our minds new thoughts, and in our hearts it awakens a world of animated feeling. Every thing that comes from the hand of this admirable poet is replete with chaste and exquisite beauties, reflections from the mirror of nature. Nothing is rough—nothing overstrained, feeble, or misplaced.

We know that this is high praise, and we are aware that unmingled eulogy often excites distrust, because it is so frequently applied to writers who do not deserve it. We turn the reader, however, to one or two selections from Halleck's writings.

The following lines were written in September, 1820, after the death of Joseph Rodman Drake, the intimate friend of our author.

“Green be the turf above thee,
Friend of my better days!
None knew thee but to love thee,
Nor named thee but to praise.

“Tears fell, when thou wert dying,
From eyes unused to weep,
And long, where thou art lying,
Will tears the cold turf steep.

“When hearts, whose truth was proven
Like thine, are laid in earth,
Then should a wreath be woven
To tell the world their worth.

“And I, who woke each morrow
To clasp thy hand in mine,
Who shared thy joy and sorrow,
Whose weal and wo were thine;

“It should be mine to braid it
Around thy faded brow,
But I've in vain essayed it,
And feel I cannot now.

“While memory bids me weep thee,
Nor thoughts nor words are free,
The grief is fixed too deeply
That mourns a man like thee.”

We now give a few stanzas "On Domestic Happiness." They appear in striking contrast with the verses "On the Death of Drake." The one exhibits the simple pathos of which the poet is capable, and the other will serve to show the playfulness of his fancy.

I.

"Beside the nuptial curtain bright,"
The bard of Eden sings,
"Young love his constant lamp will light,
"And wave his purple wings."
But rain-drops from the clouds of care
May bid that lamp be dim,
And the boy Love will pout and swear
'Tis then no place for him.

II.

So mused the lovely Mrs. Dash;
'Tis wrong to mention names;
When for her surly husband's cash
She urged in vain her claims.
"I want a little money, dear,
"For Vandervoort and Flandin
"Their bill, which now has run a year,
"To-morrow mean to hand in."

III.

"More?" cried the husband, half asleep,
"You'll drive me to despair!"
The lady was too proud to weep,
And too polite to swear.
She bit her lips in very spite:
He felt a storm was brewing,
And dreamed of nothing else all night
But brokers, banks, and ruin.

IV.

He thought her pretty once, but dreams
Have sure a wondrous power,
For to his eye the lady seems
Quite altered since that hour—
And Love, who on their bridal eve
Had promised long to stay,
Forgot his promise, took French leave—
And bore his lamp away.

The foregoing extracts are not, by any means, the most favourable specimens of Halleck's poems. We have selected them, partly for the purpose of giving an idea of the different styles which mark his compositions; and partly on account of their brevity, the limits of a review not always admitting the insertion of long extracts. "Alnwick Castle," and "Marco Bozzaris," are already too familiar to the reader, to require farther notice from us. They have been circulated widely in

America, and republished in England, and have received the favourable remarks of competent critics in both countries. In the volume before us, there are some poems in the Spenserian stanza—that most beautiful of all measures for narration or description—which would induce us to augur well of an effort by Mr. Halleck, in that branch of poetry. He has, however, never written—at least he has never published—any work of sufficient importance as to length, to establish his fame upon a permanent basis, but seems to be satisfied with a comparatively ephemeral reputation. We regret this, because we believe he is better competent to the execution of such a task, than any other American poet. His general learning may not be so extensive as that of some who might be mentioned, but his judgment is sound and his taste correct; his imagination is exuberant, and withal so well disciplined, that he would not be in danger of involving himself in the labyrinth of mysticism, in which the writings of some of our modern Lakists are inextricably involved. We recommend Mr. Halleck's book to the perusal of our readers.

JOSEPH RODMAN DRAKE, the author of the second work named at the head of this article, had hardly started into public notice, when, at the early age of twenty-five years, he died.

In 1819, a series of Pindaric odes was published in one of the New York journals, with the signature of Croaker and Co., which excited much public attention. They were full of playful humour; sometimes keenly satirical; and being of that local character which raises individual curiosity, many efforts were made to discover the authors. These exertions were, after a time successful, and the partners composing the firm of Croaker and Co. appeared in *propriis personis*, under their lawful titles of Fitz Greene Halleck, and Joseph Rodman Drake.

Thus did the merits of the two friends first dawn upon the public, and from that moment we may date the commencement of their poetical reputation. But a short time elapsed from this period until the death of Drake—we believe not more than a year—and it was not until that event that his lyric poems were published in a collected form. It is to such a collection that our attention is now drawn.

The poem which commences the volume before us, is entitled "The Culprit Fay." It is a fairy tale, told with great spirit and playfulness. The following is a brief outline of the story.

The scene is laid at the "Crow Nest," on the Hudson, near West Point; the time midnight, "the dawn of the fairy day." The elfin sentinel sounds upon his bell, a signal to the fairy habitants of the region to meet at their nightly revels; and when they issue from their resting places, in obedience to the summons, the poem tells us—

"They come from beds of lichen green,
They creep from the mullen's velvet screen ;
Some on the backs of beetles fly
From the silver tops of moon-touched trees,
Where they swung in their cobweb hammocks high,
And rocked about in the evening breeze ;
Some from the humbird's downy nest—
They had driven him out by elfin power,
And pillowed on plumes of his rainbow breast,
Had slumbered there till the charmed hour ;
Some had lain in the scoop of the rock,
With glittering ising-stars inlaid ;
And some had opened the four o'clock,
And stole within its purple shade—
And now they throng the moonlight glade,
Above—below—on every side,
Their little minim forms arrayed
In the tricky pomp of fairy pride!"

The fairies are called on this occasion to attend the court of their sovereign. It had been discovered that an ouphe had broken his vestal vow, by falling in love with an earthly maid. This was a deadly crime, and cried loudly for punishment; and the royal fay had summoned his lords and commons to be present, when the doom was pronounced on the unhappy culprit. The scene of judgment is then described. The monarch is seated on his throne, surrounded by peers and privy counsellors. The prisoner stands before him, awaiting the knowledge of his fate. The king commences his speech, previously to passing sentence, in these words—

"Fairy ! Fairy ! list and mark,
Thou hast broke thine elfin chain,
Thy flame-wood lamp is quenched and dark,
And thy wings are dyed with a deadly stain—
Thou hast sullied thine elfin purity
In the glance of a mortal maiden's eye,
Thou hast scorned our dread decree,
And thou shouldst pay the forfeit high,
But well I know the sinless mind
Is pure as the angel forms above,
Gentle and meek, and chaste and kind,
Such as a spirit well might love"—

His majesty goes on to observe, that had the maiden been stained with the slightest spot or blemish, the culprit fay should have received a bitter punishment—such, for instance, as being tied fast to a hornet's wings—run through and through with the stings of nettles—imprisoned at hard labour in a walnut shell, to be fed and clothed as the law directs—thrown into a dungeon of cobwebs, among the carrion remains of murdered bugs and assassinated flies, with a spider for a jailer—besides

various other tortures, the awful severity of which may be more easily conceived than described. In consideration, however, of the spotless purity of the maid, and the comparative lightness of the crime, a milder punishment should be inflicted. We have here the doom of the criminal—

“Thou shalt seek the beach of sand
Where the water bounds the elfin land,
Thou shalt watch the oozy brine
Till the sturgeon leaps in the bright moonshine,
Then dart the glistening arch below,
And catch a drop from his silver bow.
The water spirits will wield their arms
And dash around with roar and rave,
And vain are the woodland spirits' charms,
They are the imps that rule the wave.
Yet trust thee in thy single might,
If thy heart be pure and thy spirit right,
Thou shalt win the warlock fight.”

The king, in continuation, tells the culprit fay, that if he succeeds in gaining the “spray-bead gem,” part of the sin will be washed away—but that still another task must be accomplished before his crime can be entirely atoned for, and his character as a goblin of honour completely re-established. It appears that his fairy lamp has been extinguished, and it is absolutely necessary that it should be rekindled. The sovereign therefore informs him, that after the first task is accomplished, he must mount his steed and ride up into the sky; and the first shooting star that he sees, he must clap spurs to his charger, make after it, and try to run it down—that having lighted the flame of his elfin torch from the fire of the meteor, he shall be considered as having repaired the wrongs done to the national dignity, and thereupon be restored to the royal favour.

The culprit bows low to his liege lord, and starts upon his journey; but the way is long and wearisome, and he finds that he cannot fly, his wings having lost their power. He is, therefore obliged to travel on foot, down the mountain, over bushes and through swamps, until he becomes wofully scratched with briars and begrimed with mud. He is about to sink on the ground, from exhaustion, when he espies a toad before him—whereupon, he pulls up some grass, and having manufactured it into a bridle, puts it between the toad's teeth—he then cuts a switch from a bush, and not having a saddle at hand, bestrides his steed, and rides, bare back, down the hill to the river's edge. The elfin then dismounts, and reconnoitres the premises—after securing his wings, so that they will not interfere with his motions in the water, he climbs a rock, breathes a prayer, and plunges headlong into the river.

"Up sprung the spirits of the waves,
From the sea-silk beds in their coral caves ;
With snail-plate armour snatched in haste,
They speed their way through the liquid waste.
Some are rapidly borne along
On the mailed shrimp or the prickly prong ;
Some on the blood-red leeches glide,
Some on the stony star-fish ride,
Some on the back of the lancing squab,
Some on the sideling soldier crab ;
And some on the jellied quarl, that flings
At once a thousand streamy stings—
They cut the wave with the living oar
And hurry on to the moonlight shore,
To guard their realms and chase away
The footsteps of the invading fay."

The bold fay swims fearlessly through the waves, full of hope, and resolved to win the gem he is seeking. But the spirits of the waters assemble in great numbers, and hem him in on every side. The leech takes hold of his leg. The quarl wraps around him his long arms—the prong pierces his flesh—the star-fish rubs off his hide—the squab lets fly his javelin, and the crab claws and pinches, until the tortured elfin howls with pain and fury. After a desperate fight he takes to flight and makes for land. His enemies pursue in crowds—they cross his path, and throw up the waves before him—they fling sea-fire in his eyes, and stun his ears with horrible noises—the porpoise roars—the drum-fish croaks,—

"Oh ! but a weary wight was he
When he reached the foot of the dog-wood tree."

Gashed, and wounded, and sore, he lies down upon the sand, and hears the little devils in the water, giggling and laughing at his piteous condition. But the fay is not disheartened, and gathering some cobwebs, he stanches the flowing blood, and binds up his wounds with leaves of sorrel. Then taking a draught of calamus juice, he feels his strength renewed, and again he is ready for the contest.

The night is fast wasting away, and before the dawn of day his task must be accomplished. But how to do it—he glances around him, and swells with joy, when, glittering on the ground before him, he espies a muscle shell. He runs up to it, and heaving first at the bow, then at the stern, he succeeds, by an almost incredible exertion of strength, in pushing it over the sand to the water's edge. He cuts a notch in the stern, for a scull ; and having made a hootle blade into an oar, springs into his seat and launches his bark upon the waves,—

"The imps of the river yell and rave ;
They had no power above the wave,

But they heaved the billow before the prow,
 And they dashed the surge against her side,
 And they struck her keel with jerk and blow,
 Till the gunwale bent to the rocking tide.
 She wimpled about in the pale moonbeam,
 Like a feather that floats on a wind-tossed stream;
 And momentarily athwart her track
 The quarl upreared his island back,
 And the fluttering scallop behind would float,
 And spatter the water about the boat;
 But he bailed her out with his colen-bell,
 And he kept her trimmed with a wary tread,
 • While on every side like lightning fell
 The heavy strokes of his bootle-blade."

The fay, notwithstanding these obstacles, pursues his onward course, till he comes to where the column of moonshine lay on the waters—beneath the surface he espies a brown-backed sturgeon, swimming slowly along, surrounded by a crowd of water sprites. He follows after in his little boat, until he sees him point his head upward, as if to make a leap into the air. The fairy drops his paddle, and holds his colen goblet, ready to catch the drop as it falls. The sturgeon, with a sweep of his tail, shoots above the blue waves, and plunges again into their depths, leaving in his passage through the air, a silvery arch of bright water drops. The fairy darts his bark under the moony rainbow,—

"A moment and its lustre fell,
 But ere it met the billow blue,
 He caught within his crimson bell,
 A droplet of its sparkling dew—
 Joy to thee, Fay! thy task is done,
 Thy wings are pure, for the gem is won—
 Cheerly ply thy dripping oar
 And haste away to the elfin shore."

He turns, and behold the waves are at peace, and the track over which he passes is smooth as a mirror. The sea nymphs sport around him—smiling and singing, they gently urge his muscle bark to the sandy shore. He leaps upon the land, and the sprites, nodding their heads, and kissing their hands in token of adieu, drop into the crystal waters.

The fay reposes an instant on the shore, but the night is far spent, and half of his task remains to be performed. But two little hours are left. He speeds to the elfin court, and begins his preparations for the second expedition—

"He puts his acorn helmet on,
 It was plumed of the silk of the thistle down;
 The corselet plate that guarded his breast
 Was once the wild bee's golden vest;

His cloak, of a thousand mingled dyes,
Was formed of the wings of butterflies;
His shield was the shell of a lady-bug queen,
Studs of gold on a ground of green;
And the quivering lance which he brandished bright,
Was the sting of a wasp he had slain in fight.

Swift he bestrode his fire-fly steed;
He bared his blade of the bent-grass blue;
He drove his spurs of the cockle seed,
And away like a glance of thought he flew,
To skim the heavens and follow far
The fiery trail of the rocket-star."

The culprit fay springs into the vaulted firmament, upon his fire-fly courser, flinging at every leap a glittering spark behind him. "He flies like a feather in the blast," till he passes the driving clouds—a heavy mist is thrown around him—he shivers with cold, but urges his fiery steed onward through the tempest. The fierce eyes of the spirits of air gleam savagely upon him—their furious yells scream on his startled ear; his wings hang dripping by his side, and the thistle down plume droops from his crest; the lightning flashes and the thunder roars around him. He draws his keen blade from its scabbard, and dashes among the howling spectres—he conquers, and the land of clouds lies beneath him: upward still he speeds, in the clear moonlight; he reaches the stream of the milky way, and checks the flight of his courser, to watch for the shooting star. "Sudden along the snowy tide," a bright company of the sylphs of heaven surround the adventurous fay—dancing and warbling, they lead him through amber clouds and starry plains, to the palace of their queen. The culprit enters—

"But, oh! how fair the shape that lay
Beneath a rainbow bending bright,
She seemed to the entranced fay
The loveliest of the forms of light.
Her mantle was the purple rolled
At twilight in the west afar;
'Twas tied with threads of dawning gold,
And buttoned with a sparkling star.
Her face was like the lily roon
That visits the vestal planet's hue;
Her eyes, two beamlets from the moon,
Set floating in the welkin blue.
Her hair is like the sunny beam,
And the diamond gems which round it gleam
Are the pure drops of dewy even
That ne'er have left their native heaven."

The beautiful queen raises her eyes to the enraptured fay—they sparkle with gladness, for never before has the form of an earthly ouphe been seen in her bower. Long and ardently she

gazes upon him, while he tells her, in sweet accents, the story of his love and sufferings—her bosom heaves sadly, the tear starts into her eye, and she speaks to him in the voice of passionate love.

“Sweet spirit of earth! return no more to thy woodland home—abide with me in this region of light and glory—we will lie within the fleecy drift, and hang upon the arched rainbow—the gems of the sky shall glitter on thy brow, and thou shalt bathe in the pure streams of ether; we will repose within the circle of the Pleiades, or rest on the starry belt of Orion, and my sylphs shall sing to thee, songs, that will disperse the misty dews of evening—thou shalt pillow softly on my breast, while the heavenly breathings float around. Blest with the spirits of air, thou wilt forget the fairy joys of thine earthly home.”

The elfin’s heart beats fitfully, as he listens to the lovely queen—but dearer, and lovelier far, is the image of his earthly maid, and deeply is it stamped upon his soul. He thinks upon her meek and gentle eyes, and the flush of her rosy cheek—never again may he lie in the sweet sunshine of her smile—but to see her in the visions of evening, or clasp her in his waking dreams, is worth all else that heaven and earth contain.

“Lady,” he cries, “I have this night sworn, by my knightly faith, to expiate the sin which is charged upon me; my honour is scarcely freed from stain, and I may not again tarnish its purity. Farewell—I must haste to the task which is before me.”

The queen sighs deeply and mournfully, and her eyes are filled with tears. She leads the fay to her palace gate, and calls the attendant sylphs to bring the sable car. She surrounds him with charms, to protect him from the fiends of air; then tying his fire-fly steed before the cloudy car, she presses his hand, and bids him speed to the northern sky—

“For by its wane and wavering light,
There was a star would fall to-night”—

Afar north, on the wings of the rushing blast, he shoots along—the clouds are left behind him, and he flies past the flickering stars, with the quickness of lightning—he reaches the northern plain—then checks his courser, and waits the falling of the rocket light—

“The star is yet in the vault of heaven,
But it rocks in the summer gale;
And now ’tis fitful and uneven,
And now ’tis deadly pale;
And now ’tis wrapp’d in sulphur smoke,
And quenched is its rayless beam,
And now, with a rattling thunder stroke,
It bursts in flash and flame.

As swift as the glance of the arrowy lance
 That the storm-spirit flings from high,
 The star-shot flew o'er the welkin blue,
 As it fell from the sheeted sky.
 As swift as the wind in its trail behind
 The elfin gallops along,
 The fiends of the cloud are bellowing loud,
 But the sylphid charm is strong;
 He gallops unhurt in the shower of fire,
 While the cloud-fiends fly from the blaze;
 He watches each flake till its sparks expire,
 And rides in the light of its rays.
 But he drove his steed to the lightning's speed,
 And caught a glimmering spark:
 Then wheeled around to the fairy ground,
 And sped through the midnight dark."

And now, ye ouphes and goblins—imps and sprites—elves and
 starry fays—ye that love the mellow light of the chaste moon,
 hither speed; welcome the wanderer to his woodland home,
 with songs and merry dancings—wind ye around in a joyous
 ring, and let the hills echo to the sounds of gladness,—

"But hark! from tower on tree-top high,
 The sentry elf his call has made,
 A streak is in the eastern sky,
 Shapes of moonlight! flit and fade!
 The hill-tops gleam in morning's spring,
 The skylark shakes his dappled wing,
 The day-glimpse glimmers on the lawn,
 The cock has crowed and the fays are gone."

We have thus given an analysis of the "Culprit Fay," and though any prosaic paraphrase would fail in justly conveying the peculiar beauties of the poem, it will, at least, exhibit the richness of fancy, the admirable refinement of style and vigour of expression, which characterise the writings of the departed bard.

The inference which we derive from a rapid, though not careless view of the subject, is that the lyric poetry of America will not materially suffer by a comparison with that of foreign cotemporary authors. True, this is not the highest praise that could be bestowed upon the poetical literature of a nation; yet, when we consider the infancy of our own, it is grateful to our hopes for the future to be able to say even thus much. As yet, the constitution of society prevents the adequate encouragement of a more exalted style of composition. A high state of intellectual cultivation, sufficiently extensive to give a character to society at large, is requisite for the promotion of the higher branches of poetry. In other countries, the epochs most distinguished for literary excellence, were also most prolific in the production of great poets.

In the reign of James the First, the literature of England had attained an elevated condition, and in no other single generation has that nation been marked by the existence of so many illustrious poets. Shakspeare was in the zenith of his fame. Massinger, who approached Shakspeare in dignity more closely than any writer of the age—Beaumont and Fletcher, who surpassed every living author in their delineations of female character—Marston, Shirley, Webster, Ford, Brome, and other dramatic writers of scarcely inferior merit—Spensér, whose melodious numbers have been the model of so many modern poems—Drayton, Beaumont the elder, Fairfax the translator of Tasso, the learned and metaphysical Ben Jonson, and the immortal John Milton, dignified this favoured era.

The peculiar condition of the literature of that day destroyed, in a great measure, a taste for simplicity in poetry. When this is once destroyed in a nation, it is very difficult to restore it; and from the reign of James until the commencement of the civil wars, the philosophical abstractions of Jonson, Donne, Cowley, and others, monopolised the favour of the public.

We have already said, and repeat it here, that when the faculty of abstract reflection and a vivid imagination are eminently combined, the individual who possesses them has within him the elements of intellectual poetry; when these are not united, it were vain, and worse than vain, to attempt this exalted style of composition. Shakspeare possessed this union in a greater degree than any other poet of England, and the result of the combination is observed in the deathless productions of his inspired pen. Jonson had no imagination—no perception of the sublime or the beautiful—and as a consequence, his writings are filled with far-fetched imagery, and characterised by a learned profundity, which render many of them incomprehensible, not only to general readers, but to *all* readers.

What is it, then, that causes unintelligible poetry to find favour with the people? It is this—A vivid fancy and a musical ear are pleased with any poetry that is lofty in its tone, and melodious in its numbers. It may be destitute of sense or meaning when calmly and critically analysed, but its high-wrought language and majesty of sound suggest ideas and images in the minds of those who are predisposed by natural constitution to indulge in the exercise of imagination. We have pored over the gloomy poetry of the “Revolt of Islam,” without comprehending, or hoping to comprehend, a tithe of its meaning, (if, indeed, a tithe of it has any meaning) but there is a wild sublimity which runs throughout the poem, eminently calculated to excite the fancy to energy and action. There are many passages,

also, in the writings of others of the modern poets, which are thought by some readers to possess great beauty, but which, nevertheless, when minutely examined, will be found to exceed the comprehension of man.

The lyric is the poetry of deep emotion, and in all countries, and all conditions of society, this species of composition must be, in some measure, cherished; for man never ceases to feel. But besides the emotions of personal feeling, there are in this country other sources of inspiration for the lyric writer; we have not in our borders the crumbling tower and castle, or the ivied and solemn cathedral, garnished within by the historic monuments and flaunting banners of the past; but external nature spreads before us her everlasting page, glowing with sublimity and beauty. For us, the mighty cataract lifts up its voice, and the high mountain holds commerce with the clouds; and if the loveliness and grandeur of nature can awaken the lyre of the bard, never need the American poet fly for inspiration away from the land of his fathers.

The general literature, too, of the past and the present, which is available to transatlantic writers, lies open to our own. The models which form true standards of beauty—the breathing thoughts and burning words of the great masters of the English lyre, from Chaucer to Byron—these are ours, to suggest images, and to discipline the taste; and if the youthful and aspiring poet seeks to establish a fame with posterity, as well as among his contemporaries, let him not be induced to adopt a vicious and depraved style, under the false impression that the reputation of a lyric writer is limited to the present day. The lofty flights of the daring Pindar are destined for immortality, and the sweet breathings of the amorous Sappho will never be forgotten while the memory of man endures.

Let Horace speak for us:—

“Ne forte credas interitura, quæ
Longè sonantem natus ad Aufidum,
Non ante vulgatas per artes
Verba loquor socianda chordis.
Non, si priores Mæonius tenet
Sedes Homerus, Pindaricæ latent,
Cæque, et Alcæi minaces,
Stesicorique graves Comænæ.
Nec, si quid olim lusit Anacreon,
Delevit ætas. Spirat adhuc amor,
Vivuntque commissi calores
Æoliæ fidibus puellæ.”

ART. VII.—DEMOCRACY IN AMERICA.

1. *De la Démocratie en Amérique.* Par ALEXIS DE TOCQUEVILLE, Avocat à la Cour Royale de Paris, l'un des auteurs du livre intitulé: "Du Système Pénitentiaire aux Etats-Unis." Orné d'une Carte d'Amérique. Seconde édition. Paris: 1835.
2. *Democracy in America.* By ALEXIS DE TOCQUEVILLE, &c. &c. Translated by HENRY REEVE, Esq. In two volumes: (first only received). London: 1835.

The reciprocal influence of the manners and political institutions of a people upon each other,—in other words, the connection between their civil and social habits, is the first object with which an intelligent traveller should make himself acquainted. By most travellers it is neglected altogether. It is much easier, as one meanders through a country, to seize a few obvious features,—the salient points of national character,—and to sketch them boldly and broadly, than to study carefully, and accurately to delineate, the curious combinations and influences under which a community has been formed and fostered. The first object which Micromegas and his companion saw, on descending to the earth in the neighbourhood of the Baltic Sea, was a whale; whence the younger traveller very sagaciously concluded that whales were the sole inhabitants of the little planet on which he had alighted. He would have gone back to Saturn with the impression in full force, had not his more experienced friend found means to correct the error. Broad as the satire is, the Saturnian, six thousand feet in stature, is no bad type (however the author may have had in view another object) of those modern tourists who can scarce see or realise any thing except upon the level of their own prejudices,—who refer every thing to their own standard, and who pronounce upon nations according to conventional laws, or the accidents of their own education. This is not the fashion after which enlightened antiquity described foreign countries: nor are these the descriptions that enlightened posterity will read and cherish.

It is doubtless the fate of all countries to be misrepresented. The honest credulity of the old travellers, ignorant of science, led them into a thousand exaggerations concerning the physical characteristics of distant nations, by which a child of our times would scarcely be deceived for a moment. They saw, wondered, believed, (for belief, in rude times, is the child of wonder,) and narrated. Marco Polo, Sir John Mandeville, and others of that category, ran no danger of being dubbed, like poor Lucian, great scoffers at religion, because,

like him, they could not see the hole in Syria, through which Deucalion's deluge retired into the earth, in all its original proportions. *Their* powers of vision were unlimited. But they were more prone to narrate than to enquire, and it is astonishing what an amount of very conscientious absurdity may in that manner be produced. The man who merely glances at the landscape as he skims over the roads or sails along the rivers of a country, ought to beware how he reasons about soil and productions. He would probably very much mislead a settler. Yet is this very traveller the most dogmatical and opinionated person in the universe. He trusts exactly those impressions which, in all the ordinary affairs of life, are scrutinised with jealousy, and seldom acted upon without revision, by men of shrewdness and experience. They form his premises—false in fact, or so imperfectly apprehended as scarcely to exhibit one quality of truth; his results must of course be essentially false in doctrine. If he ever distrusts himself he is soon over-convinced by his own vehemency of assertion, as great liars are, by dint of repetition, compurgators to their own consciences. Such men, fresh from London and De Lolme, study no strange constitutions. If the institutions of a foreign country diverge from those of their own, by so much they set them down inferior. They pull out their guage and mark the difference. They carry the statutory standard in their pocket, and, like the inspector of weights and measures, will not hear an argument upon its correctness. It has the Tower stamp upon it, and that is enough for them.

America has had her share, and more than her share, of such supercilious visitants. Simple and unsuspecting as youth always is, in nations as well as in individuals, somewhat elated too, perchance, and vain with her recent acquisitions of the emblems of empire, with all the virtues and many of the weaknesses of a young heir just come to his estate, she received and welcomed them with open-hearted confidence and affection. She looked not for a spy upon the sanctity of her household-gods in the stranger that sat within her gates. She scarce supposed that the hand of a clumsy servant, like the claws of the harpies, could utterly mar and defile the feast which honest hospitality had provided. She lacked, as she well knew, the diadem and the mitre, the sumptuousness of crown and crosier, and the dim aisle of the lofty cathedral. But she had patriotic hearts, (one above all whose very ashes are holy,)—a history which, though brief, was not altogether ignoble; since it comprised the annals of self-denying virtue and of that courage which knew how to vanquish the intensity of human passion by the loftiness of the human will. She boasted not of her faith, since her faith forbade it; but she sprang from the

loins of pilgrims, whose graves are still green in the land, and for whose memories she brings an annual tribute of thanksgiving. Contented with her homely institutions, she determined to preserve them, because they were the firstlings of her heart, and endeared to her by the recollection of anxiety and danger. She valued them, moreover, as much in the light of reason as from the instinct of affection. They were, in her eyes, indispensable for the preservation of those principles on whose truth she had gaged her all. They were the leaden casket which concealed her jewel,—the shrine which contained her god.

These were the peculiar possessions which a young nation had, and still has, to offer to the consideration of a stranger, whose desire to study for himself the polity of a distant country may lead him hither. In our own view, they offer something not altogether contemptible to a liberal and investigating spirit, coupled, though they may be, with little of the physical grandeur which feudality and superstition have borrowed from art to deck the bosom of Europe,—little of the circumstance which royalty loves to dispense, and which loyalty is prone and proud to boast of,—little of the grace and elegance which are the best offspring of privilege and wealth. With a confidence, sometimes, no doubt, almost arrogant, we overpraised (we could not over-value) our own institutions. We could not altogether appreciate our own defects. The tower which we aspired to build had its base on a site so lofty that its proportions were partially concealed,—its head was already among the clouds,—*caput inter nubila condit*. We had no eminence from which to overlook it. Yet might the grandeur of the design and the boldness of the execution have a little tempered the ridicule of critics whose taste had been formed on different models. They should not have forgotten that simplicity is the main element of beauty as well as of strength, and that the ornaments with which modern society is overlaid are not coeval with its structure, but superinduced as time or occasion produced or exhibited defects. When a nation is to be created and the fate of a long posterity to be settled, men breathe more freely after they have fixed its corner-stone upon some grand and comprehensive principle;—to do this is no child's play at card-houses, as some of us have seen, and our forefathers have told us,—it is the work of giants.

With us that principle was sought in the sovereignty of the people, as the source of power—in the empire of enlightened thought, expressed and recorded, as opposed to the fluctuating rule of force or prerogative, and in the dominion of laws emanating from the consent of the governed. Its enforcement and sanction are found in no romantic abstraction—neither in Plato, nor Harrington, nor Sidney—in no real example of

ancient or modern democracy (so mis-called) ; not in the volatile flexibility of Athens ; nor in the political stoicism of Rome, great only in the poor security of human virtue ; nor in the stern rule of the laws of hate and fear and malignant jealousy which distinguished the Adriatic commonwealth, unnaturally strong in the still poorer security of human infirmity ; nor yet in the turbulent liberty of the modern Free Towns—free only in their power to fight for the choice of a master, to part a livery, or espouse a faction, on scarcely more intelligible differences than the green or blue symbols of the champions and charioteers of the Byzantine circus ; not in any nor in all these, nor in the polity of other cognate societies, but in the ethics of experience, and the lessons of history, which teach that to reconcile the interest and the duty of men, to make the passions subservient to the reason, to reduce the evil principle to a subordinate instead of an antagonist power to the good—co-working instead of counterworking—is to solve the great problem in the philosophy of politics, and to establish a rule of dominion whose duration can only cease with the structure of our humanity.

It was, after all, a great attempt, to which some deference and toleration were due—some research to learn its principles—some patience to await its progress. That petty wall over which Remus leaped in wanton insolence, grew in time to be a lofty rampart, under whose arches kings marched in sad procession. Had the gibe, however, passed unpunished, the very hands that helped to raise it might have leveled it in despair. This is the reason we defend our institutions. We will not have them depreciated in our own eyes. The sensitiveness at which Europeans affect to wonder, is not the result of their disdain, but of our own self-respect. When they record the homeliness of our manners, and ridicule our primitive and straitened homes—when, in a country just redeemed from the wilderness, they are disgusted at our rude fare and sordid pursuits, affecting to find in the absence of old association a fruitful source of disorder and disloyalty ; and when, speaking in authoritative language, they promulgate, in our own tongue, disparaging sentiments concerning our intellectual and religious condition, want of sensibility would indicate a fatal distrust of ourselves and of the wisdom of our ancestors. If (as they would intimate), for the sake of political institutions, all the social virtues and enjoyments—all the flower and perfume of life—all the dignity and ornament of public function—are to be destroyed ; if to preserve the code of Lycurgus we must, like the Spartans, sup black broth, send our boys to the revels of our slaves, or expose our virgins in promiscuous dances, better give over self-government than to

buy it so dearly. We protest still, as in America we always have protested, against the conversion of circumstances into consequences—against metamorphosing the incidents of the social relation into the results of a political system. We insist that ignorance, however ingeniously it may “assume facts in order to have the pleasure of censuring faults,” shall be brought to answer, and stand exposed in all the plenitude and magnitude of its misrepresentations—that disappointed avarice, though it may redeem its unthrift at our cost, shall not belie the wisdom and the honour which it cannot comprehend, without being brought out, shorn and bound, to pay the penalty ; and that the smooth and polished man of mark, who slides into our families to sell us to his bookseller, shall not be sheltered by a sneer, because forsooth “he did but jest—poison in jest.” Sensitive we certainly are; the lion may be roused by a gadfly or a gnat, whose torture, while it stings him into madness, detracts not from the nobleness of his nature, nor reduces him to a level with the insect that molests him. Heaven forbid that we should ever become so passively lethargic as not to be roused by a sense of violated confidence and unjust aspersion ! The judgment in that cause shall never go against us by default.

If we are not mistaken, however, the day for small tourists has gone by. Their topics were so limited, that repetition has made them nauseous. They afforded but a paltry variety of slander ; and of late they have been eked out by some political lucubrations so puerile and absurd, that the medicine cannot be swallowed even with the aid of the confection. There are many intelligent persons in Europe, whose tendency is to examine for themselves a little more deeply than a flippant satirist can enable them to do, the spring and principle of institutions under which numerous communities live in harmony and prosperity, self-governed and self-balanced, notwithstanding the existence of modes of thought and theories of association unknown to older states. The progress of enquiry has reached a point from which it cannot retrograde. The science of politics is no longer a monopoly. The divinity that “doth hedge a king” has forsaken his tripod. Ordinances have ceased to be oracles. The fundamental law that Louis XVIII gave, Louis Philippe has accepted. What was once begged is now claimed. Parchment and prescription are no longer broad enough to cover abuse and anomaly. The Cornish freeholder comes to the polls without a charter from “Richard king of the Romans,” or his lord paramount. The source of his right is higher up than Norman, or Saxon, or Dane ; he derives it from the first Briton who struck his plough into the soil. Intelligent minds are fully awake to the knowledge that the spirit of government is changing, and even where old forms are

retained, that much of its ancient character is passing away. They are accordingly marking out and measuring the base of the pyramid, heretofore hidden in the sands or encumbered with rubbish. They will no longer believe those careless or prejudiced travellers who would convince them that it is shapeless and monstrous, since they have seen some of its proportions for themselves. They want its length and breadth, its figure, its material, and its construction; its relation to the superstructure, its capacity to withstand the convulsions of nature, the corrosion of time, and the efforts of an enemy.

We shall owe much to the day which witnesses the satisfactory solution of this problem, or a closer approximation to it. It will change the minority into a majority, and we shall get the benefit of a division in which the strong side votes with us. Its arrival may be deferred, but the light which it throws forward is already reaching us. Nay it has reached, in times long past, every great spirit whom the truth has made free, and who, in daring to assert the prerogative of human thought, has done his part in the enfranchisement of his species. Our own country is an incident in the history of improvement, the sequel of which, if unfortunate, may influence, but cannot finally obstruct, the progress of knowledge. The heretic (as he was called) who fled into the desert to escape the fagot of his orthodox brethren, in the early days of the church, had the same cause with the pilgrims whom the Stuarts drove across the Atlantic. The one left a name, the other founded an empire, consecrated to human rights. Name and empire may both perish, still thought will not be enslaved; the *veteris vestigia flammæ*, the traces of that ancient fire, cannot be obliterated. We will no more stake the hopes of liberty upon the fate of one republic, than we would have done those of conscience upon the life of Wickliffe, or the progress of science upon the freedom of Galileo. We see them rather in the history of mankind, and in the exertions which every age renews with redoubled energy and effect. We see them in the increased and manifold strength with which, like Antæus, man rises from his successive prostrations upon the earth, in the calmer and more confident bearing of her advocates, and in the buoyant and persevering spirit of her cause. It is we who are dependent upon freedom, not freedom upon us.

These remarks have been irresistibly forced upon us by the recollection of the past—we trust they are not wholly foreign to the subject we have in hand, and towards which it is time that we should hasten.

M. de Tocqueville, the author of "Democracy in America," is an unobtrusive and enlightened person who visited the United States a few years since, in pursuance of an important

commission entrusted to him by the French government. He brought with him an enquiring spirit, a liberal and instructed mind, and a discriminating judgment. To such a man, in our country every source of information is accessible. That he availed himself of his means of ascertaining truth, is evident from the accuracy of his local knowledge, and his correct views of the theory of our somewhat complicated institutions. He has produced an original and philosophical disquisition upon the rise, progress, and present condition of the North American republics; enquired into their political history, and discussed their manners, religion, and laws, with a candour and propriety, a regard for truth and decency, and, at the same time, with a degree of research and intelligence, to which we have hitherto been strangers. If he is sometimes too bold a theorist, looking for rules where he should only see exceptions, we may pardon the fault, when we find it accompanied by a power of analysis which is the best characteristic of the mind of modern France, and which best exhibits truth by dividing it from error. It is so easy to take shelter behind a particular anomaly, that the traveller who honestly refuses to avail himself of that refuge, deserves our thanks. Besides, the most characteristic passages in the history of governments are frequently those in which right has been overlaid by prescription. If the process, as it frequently may be, is unintelligible to a stranger, it does not follow that it is therefore absurd. At all events, his best chance for comprehending it, is to class it with other similar facts, and to become familiar with its incidents and history. It is easier, we confess, to dismiss it with a sneer, and we are much accustomed to see some of our institutions treated after that method—institutions which, if not strictly the result of ancient prescription, have yet derived their value and authority from the circumstances of our early position. M. de Tocqueville is incapable of thus dodging the obstacles with which he meets, and which, as he is neither stupid nor shy, he finds, for the most part, little difficulty in surmounting. Being in pursuit of a great object—that of doing his share to enlighten his countrymen—having no prejudices to subdue, and no antipathies to overcome, he reasons calmly upon the facts presented to him, forms his conclusions—which, right or wrong, are very plausible and consistent—and gives them to the public for what they are worth. They may not be found in a single *boudoir*; for, instead of caricatures, they are illustrated by a map of the country; but, for good or evil, as their reader pleases, they will have a place in the library of every statesman and minister in Europe.

In saying this, we are not to be understood as adopting all the views of our author. He sometimes steps boldly into the

region of prophecy, whose misty and uncertain confines we cannot overpass. Tiresias himself was blind, as most prophets are. The *accidents* of history, are as numerous as its events; a straw or a sword turns the balance of an empire. What is called reasoning from the past, is nothing more than looking into a brook for an image which is distorted and broken by every breeze that blows over its surface, and every pebble that falls into the stream. Without making any regular analysis of his performance, we intend to treat M. de Tocqueville with the same impartiality with which he has treated us; to do justice, as far as in us lies, to a work of singular research and reasoning, which is frequently original, and sometimes profound. He can speak much for himself, without risking the indignation of the most prejudiced American; not because he always speaks favourably, but because, when he has occasion to differ from his reader, he does so with temperance and dignity. He is content to keep himself out of sight, well believing that individual sensations and experience have little to do with great political themes, and that a country may possess lofty destinies, though she furnishes indifferent entertainment. His journey from Dan to Beersheba, even though on a frontier mail-wagon, was in no part barren. Witness his picture (worthy of Chateaubriand) of a settler, and the moral light in which it is drawn. Captain Hall saw, in a similar being, nothing but the miserable victim of poverty and fever.

“On the extreme verge of the Union, where society is bounded by the desert, may be found the settlements of those resolute adventurers who have fled from the narrowness of their paternal roof, and found a new country in the solitudes of America. A few trees, felled in haste, protect the cabin of the newcomer; nothing can have a more desolate appearance than his secluded abode. The traveller, approaching it towards evening, is guided by the light of the fire through its chinks, and on the rising of the wind at night, the noise of its thatch of leaves is heard even amidst that of the forest. Who would not suppose that this wretched hut was the asylum of coarseness and ignorance? Yet is the dwelling no true emblem of its inhabitant. All around him is savage and primeval, but he, so to speak, is the product of eighteen centuries of labour and experiment. He wears the costume of society, speaks its language, is acquainted with the past, curious about the future, reasons upon the present—a civilised being, who for a period consents to live in the woods, and who has buried himself in the wilderness of the new world, with his Bible, his axe, and his newspapers.”

“I traversed,” says M. de T., in a note to the above passage, “a portion of the frontiers of the United States, in an open cart, called the mail. We proceeded, day and night, at a brisk pace, over roads scarcely broken, through immense living forests; when the darkness became intense, we continued our route by the light of branches of larch, which the driver used instead of torches. At intervals, we arrived at a hut in the midst of forest; this was the post-office—to the door of which the carrier threw a large bundle of letters, and, scarcely interrupting his gallop, left the treasure to be divided among the inhabitants of the district.”

It is in the general equality of conditions, that M. de Tocqueville finds the clew to aid his investigations into the principles of society and government, the laws and social condition which distinguish the United States; it is the gradual approximation to the same equality, which he discovers in France, and throughout Christendom, that furnishes him with his most powerful motive for addressing the present work to his countrymen.

"It is evident," says he, "to all alike, that a great democratic revolution is going on amongst us; but there are two opinions as to its nature and consequences. To some, it appears to be a novel accident, which, as such, may still be checked; to others it seems irresistible, because it is the most uniform, the most ancient, and the most permanent tendency, which is to be found in history."

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"As soon as land was held on any other than a feudal tenure, and personal property began in its turn to confer influence and power, every improvement which was introduced in commerce or manufacture was a fresh element of the equality of conditions." * * * "From the time when the exercise of the intellect became the source of strength and of wealth, it is impossible not to consider every addition to science, every fresh truth, and every new idea, as a germ of power placed within the reach of the people. Poetry, eloquence, and memory; the grace of wit, the glow of imagination, the depth of thought, and all the gifts which are bestowed by Providence with an equal hand, turned to the advantage of the democracy." * * * "In perusing the pages of our history, we shall scarcely meet with a single great event, in the lapse of seven hundred years, which has not promoted the same end. The crusades, and the wars of the English, decimated the nobles, and divided their possessions; the erection of communities introduced an element of democratic liberty into the bosom of feudal monarchy; the invention of fire-arms equalised the villein and the noble on the field of battle; printing opened the same resources to the minds of all classes; the post was so organised as to bring the same information to the door of the poor man's cottage, and to the gate of the palace; and protestantism proclaimed that all men are alike able to find the way to heaven. The discovery of America offered a thousand new paths to fortune, and placed riches and power within the reach of the adventurous and obscure." * * * "Would it be wise to imagine that a social impulse, which dates from so far back, can be checked by the efforts of a generation? Is it credible, that the democracy which has annihilated the feudal system, and vanquished kings, will respect the citizen and the capitalist? Will it stop, now that it is grown so strong, and its adversaries so weak?"

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"If the men of our time were led, by attentive observation and by sincere reflection, to acknowledge that the gradual and progressive development of social equality is at once the past and the future of their history, this solitary truth would confer the sacred character of a divine decree upon the change."

It may well be supposed, that with such views of the principle of society, the author comes to his task with no ordinary feelings. Indeed, he tells us that the whole work has been

written "under the impression of a kind of religious dread, produced in his mind by the contemplation of so irresistible a revolution." He evidently looks with intense anxiety at every institution whose structure may assist those who shall be called to the duty, in their labour of remodeling and reconstructing the falling fabrics of the past. He places himself on an eminence from which he surveys the history of Europe, as he would the course of a river upon whose surface are borne along the ruins of those mounds with which, from age to age, men have attempted to stem or divert its progress—the *débris* of castles, the fragments of arms; stakes, chains and fagots—the mummerly of the herald, and the mystery of the priest—the ensigns of war, the lore of diplomacy, the courtier's staff, and the harlot's trumpery—all vestiges of ill-spent labour for an impracticable end. As the flood has swept these down, so he feels that it will surely carry after them tithe and title, and the antiquated rights of primogeniture and privilege, now the sole barriers that obstruct its course.

"The Christian nations of our age seem to me to present a most alarming spectacle; the impulse which is bearing them along, is so strong that it cannot be stopped—but it is not yet so rapid, that it cannot be guided; their fate is in their hands; yet a little while, and it may be so no longer.

"The first duty which is at this time imposed upon those who direct our affairs, is to educate the democracy; to warm its faith, if that be possible; to purify its morals; to direct its energies; to substitute a knowledge of business for its inexperience, and an acquaintance with its true interests for its blind propensities; to adapt its government to time and place, and to modify it in compliance with the occurrences and the actors of the age. A new science of politics is indispensable to a new world."

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"I confess, that in America, I saw more than America; I sought the image of democracy itself—with its inclinations, its character, its prejudices, and its passions—in order to learn what we have to fear or hope from its progress."

We have long believed the true ground on which the reformers of Europe should place their argument, to be that of necessity—fate. It has appeared to us, that no noble lord, whatever may be the colour of his ribbon, the extent of his preserves, or the intensity of his conservatism, can fail to perceive that, though he may vote as his Toryism dictates, and die in his bed, there is a strong likelihood that his son will have no bed to die on, unless he takes timely counsel of prudence. We would cease to appeal to his reason, save only to that part of it which is appropriated to the consideration of his interest, simply because every other department is preoccupied. We would not talk of the peace of his country, of the rights of the

people, or the safety of the state; but we would tell his lordship that a power above him, the same power that disfranchised his noble ancestor's villeins, aliened half his hereditary shire, and married his daughter on the city side of Temple-bar, had other sacrifices to demand, until his political rights were reduced to the universal standard. That in the judgment of weak mortals it might be wrong, thus to obliterate his ancient privileges, (the monks, whose ruined abbey now appertains to his domain, thought so. of theirs, at the destruction of the monasteries,) but that it is inevitable; not to be hastened by the wishes, or retarded by the remonstrances, of any man, or set of men—not even to be prevented by the extinction of his lordship's life, for the benefit of his order. That if the sacrifice of his George and his garter, and of the euphony of his graceful and dignified appellation, of the pomp and circumstance of hereditary office, and of the more substantial honour of hereditary legislation, was painful, still more painful, though still more certain in one event to be called for, would be the sacrifice of the broad lands and rich perquisites which gave those honours splendour. For our own part, we shall rue the day that sees a second torrent of maddened democracy burst over any country in Europe. The echoes of one Bacchanalian revel are yet in our ears. But that such a day is destined to arrive for more than one nation, is as sure as that kings and nobles will shut their eyes to the present and its incidents, and live out of their age, among Gothic relics and remembrances, studying Machiavelli, with the commentaries of Metternich.

Reflecting men in America, albeit somewhat intent upon the progress (for *progress* it is—*labitur et labetur*—) of the democratic principle at home, cannot fail to see its advancement abroad. They do not wish to hasten it. They would prefer that reason and right should remove, rather than conquer, abuses. They would that men should learn to obey, as the most important lesson in learning to command—to study causes, before they are involved in consequences—to comprehend the interests of the many, before they invade the privileges of the few. They smile when they see the Prussian monarch yielding to the imperious spirit of the age, yet endeavouring to control its tendency; as if the door of knowledge, being unlocked for a people, must not soon be set wide open. Yet they rejoice that thus the evils of a sudden and dangerous irruption upon established habits of thought, (though no such object was in view,) is prevented. It is doubtless better to descend to the level below, by sliding down a declivity, than by tumbling over a precipice. It is false, that there is among us, as some travellers have represented, a blind and perverse antipathy to every form of government but our own,

and that we deem it applicable to every other country, without regard to time or circumstance. What we hope for is, that we may be so far enabled to control ourselves, and so long to preserve our liberty and prosperity, that our political maxims, (we care nothing for mere form,) may be held available truths elsewhere. In other words, that the philosophy and the practice of government may be brought into contact, under the control and for the interest of the people. We are convinced that the experiment is going on ; our desire is that it may terminate in convincing the reason of all, through the heart if it may, by the head where it must.

M. de Tocqueville finds the germ of our social condition in the history of the settlers of New England ; where, in fact, every intelligent traveller has been forced to look for some of the best elements of the American character. Perhaps they are the only elements that could have produced the American as he is, frugal, patient, laborious, and, at the same time, instructed and religious ; superior to physical difficulties on the one side, and susceptible of moral restraint on the other.

“The two or three main ideas which constitute the basis of the social theory of the United States were first combined in the northern English colonies, more generally denominated the states of New England. The principles of New England spread at first to the neighbouring states ; they then passed successively to the more distant ones ; and at length they imbued the whole confederation. They now extend their influence beyond its limits over the whole American world. The civilisation of New England has been like a beacon lit upon a hill, which after it has diffused its warmth around, tinges the distant horizon with its glow.

“The settlers who established themselves on the shores of New England all belonged to the more independent classes of their native country. Their union on the soil of America at once presented the singular phenomenon of a society containing neither lords nor common people, neither rich nor poor. These men possessed, in proportion to their number, a greater mass of intelligence than is to be found in any European nation of our own time. All, without a single exception, had received a good education, and many of them were known in Europe for their talents and their acquirements. The other colonies had been founded by adventurers without family ; the emigrants of New England brought with them the best elements of order and morality, they landed in the desert accompanied by their wives and children. But what most especially distinguished them was the aim of their undertaking. They had not been obliged by necessity to leave their country : the social position they abandoned was one to be regretted, and their means of subsistence were certain. Nor did they cross the Atlantic to improve their situation or to increase their wealth ; the call which summoned them from the comforts of their homes was purely intellectual ; and in facing the inevitable sufferings of exile, *their object was the triumph of an idea.*”

An *idea* it is true, but an idea worthy to lie at the foundation of an empire ; an idea which made the rock of Plymouth a monument in all time to the rights of conscience, and taught

that, between man and his God, no throne must cast its shadow. A partible and inheritable idea, potent to create and to destroy ; which, transferred hither, produced a nation, and which, lingering behind, overwhelmed a dynasty.* Yet is it a self-taught, in-sprung, native truth, which every man may find, (and hence its power) in his own bosom. *It is the image of the freedom of the human soul !* What wonder that it triumphed ?†

“ Puritanism was not merely a religious doctrine, but it corresponded in many points with the most absolute, democratic, and republican theories. It was this tendency which had aroused its most dangerous adversaries.”

What puritanism was, is not to be sought wholly on this side the water in the semi-theocracy of 1620. The elements of which it was composed, appear in another constitution than that of the seventeenth day of September, 1787. Let him who has learned from the courtly historians, lawyers, and divines of England (which from some inexplicable cause are forever thrust into our hands here at home,) to believe that the “ crop-eared knaves” who charged at Naseby differed from the pious founders of the Plymouth colony, beware lest he trample on the graves of his ancestors. The temper of the first was puritanism in action—doubtless grosser and more selfish than that of the other, which was sublimated by suffering, but still it was a good and a kindred spirit. Every man in the May-Flower, would have had a musket on his shoulder at Marston Moor. If we would duly appreciate puritanism, let us compare the reign of the first James with that of the third William. We know that it is a favourite trick of a certain class of writers, to date the regeneration of the English constitution from the second rather than the first revolution—which, forsooth, they call a rebellion—but where, in what bloody school, had men in the mean time learned the right of revolution? Who taught

* “ Sir Arthur Haselrig, Oliver Cromwell, John Hampden, and some others of similar sentiments, had made arrangements for emigrating to America, but, when on the point of sailing, they were embargoed by order of council, who were alarmed at the numbers who were leaving the kingdom, and thus Charles I. forcibly detained those in his kingdom, who were destined to subvert his empire, and bring himself to the block.”—*Robertson, Hist. of America.*

† “ The Plymouth rock,” says M. de T., “ is become an object of veneration in the United States. I have seen bits of it carefully preserved in several towns of the Union. Does not this sufficiently show how entirely all human power and greatness is in the soul of man? Here is a stone which the feet of a few outcasts pressed for an instant, and this stone becomes famous ; it is treasured by a great nation, its very dust is shared as a relic ; and what has become of the gateways of a thousand palaces ?”

them that they might withdraw the axe from the royal fasces, *arbitrio popularis auræ*, to turn its edge against royalty itself? Not Laud or Strafford, the bigot or the renegade—not Hobbes or Clarendon, the advocate or the apologist of tyranny—not the “royal martyr” himself, either in his “large declaration” or his grand expedition against the Scottish covenanters—not, alas! the fifty editions of the *Icon Basilike*—but they learned it in defending the rights of conscience—(not consisting, as Hume impudently asserts, in the rejection of surplices and lawn sleeves,)—and through them the other rights of human nature and civil society. This was puritanism, and this was the influence, however modified by circumstances, that gave the impulse and the consummation to the revolution of 1688. But for the lessons of Milton, and Fairfax, and Hampden,

“ And the arm’d rest, courtiers of beauteous freedom;
 —— even those who would

Have one man but a man”—

we should scarce have heard of the *contract* between the king and the nation, or of the *abdication* of a divine and indefeasible right in the case of James II. It was no Jacobite catechism which taught the commons of England the mysterious tenets of the act of settlement. They were found in the sawdust before Whitehall. Royalty went to school over the ruins of the Star-chamber.

Long, however, before the reign of William and Mary, puritanism had proceeded rapidly and far with its work in New England.

“In strict connection with her absurd penal legislation, which bears such striking marks of a narrow sectarian spirit, and of those religious passions which had been warmed by persecution and were still fermenting among the people, a body of political laws is to be found, which, though written two hundred years ago, is still ahead of the liberties of our age.

“The general principles which are the ground-work of modern constitutions,—principles which were imperfectly known in Europe, and not completely triumphant even in Great Britain, in the seventeenth century,—were all recognised and determined by the laws of New England; the intervention of the people in public affairs, the free voting of taxes, the responsibility of authorities, personal liberty, and trial by jury, were all positively established without discussion.

“In the laws of Connecticut, as well as in all those of New England, we find the germ and gradual developement of that township independence, which is the life and main-spring of American liberty at the present day. The political existence of the majority of the nations of Europe commenced in the superior ranks of society, and was gradually and imperfectly communicated to the different members of the social body. In America, on the other hand, it may be said that the township was organised before the county, the county before the state, the state before the union.

“In New England, townships were completely and definitely constituted as early as 1650. The independence of the township was the

nucleus round which the local interests, passions, rights, and duties, collected and clung. It gave scope to the activity of a real political life, most thoroughly democratic and republican. The colonies still recognised the supremacy of the mother-country; monarchy was still the law of the state; but the republic was already established in every township.

"The towns named their own magistrates of every kind, rated themselves, and levied their own taxes. In the parish of New England the law of representation was not adopted, but the affairs of the community were discussed, as at Athens, in the market-place, by a general assembly of the citizens.

"In studying the laws which were promulgated at this first era of the American republics, it is impossible not to be struck by the remarkable acquaintance with the science of government, and the advanced theory of legislation which they display. The ideas there formed of the duties of society towards its members are evidently much loftier and more comprehensive than those of the European legislators at that time: obligations were there imposed which were elsewhere slighted. In the states of New England, from the first, the condition of the poor was provided for; strict measures were taken for the maintenance of roads, and surveyors were appointed to attend to them; registers were established in every parish, in which the results of public deliberations, and the births, deaths, and marriages of the citizens were entered; clerks were directed to keep these registers; officers were charged with the administration of vacant inheritances, and with the arbitration of litigated landmarks; and many others were created, whose chief functions were the maintenance of public order in the community. The law enters into a thousand useful provisions for a number of social wants which are at present very inadequately felt in France.

"But it is by the attention it pays to public education that the original character of American civilisation is at once placed in the clearest light. 'It being,' says the law, 'one chief project of Satan to keep men from the knowledge of the Scripture by persuading from the use of tongues, to the end that learning may not be buried in the graves of our fore-fathers, in church and commonwealth, the Lord assisting our endeavours,' &c. Here follow clauses establishing schools in every township, and obliging the inhabitants, under pain of heavy fines, to support them. Schools of a superior kind were founded in the same manner in the more populous districts. The municipal authorities were bound to enforce the sending of children to school by their parents; they were empowered to inflict fines upon all who refused compliance; and in cases of continued resistance, society assumed the place of the parent, took possession of the child, and deprived the father of those natural rights which he used to so bad a purpose. The reader will undoubtedly have remarked the preamble of these enactments: in America, religion is the road to knowledge, and the observance of the divine laws leads man to civil freedom.*

"In the bosom of this obscure democracy, which had as yet brought forth neither generals, nor philosophers, nor authors, a man might stand up in the face of a free people, and pronounce the following fine definition of liberty.†

" 'Nor would I have you to mistake in the point of your own liberty.

* In the year 1630, ten years after the foundation of Plymouth, the inhabitants of Massachusetts devoted £400 sterling to the establishment of the University of Cambridge.

† "Mather's *Magnalia Christi Americana*, vol. ii, p. 13. This speech was made by Winthrop."

There is a liberty of corrupt nature, which is affected both by men and beasts, to do what they list; and this liberty is inconsistent with authority, impatient of all restraint; by this liberty *sumus omnes deteriores*: 'tis the grand enemy of truth and peace, and all the ordinances of God are bent against it. But there is a civil, a moral, a federal liberty, which is the proper end and object of authority; it is a liberty for that only which is just and good: for this liberty you are to stand with the hazard of your very lives, and whatsoever crosses it, is not authority, but a distemper thereof. This liberty is maintained in a way of subjection to authority; and the authority set over you will, in all administrations for your good, be quietly submitted unto by all but such as have a disposition to shake off the yoke and lose their true liberty, by their murmuring at the honour and power of authority.'

"The remarks I have made will suffice to display the character of Anglo-American civilisation in its true light. It is the result (and this should be constantly present to the mind) of two distinct elements, which in other places have been in frequent hostility, but which in America have been admirably incorporated and combined with one another. I allude to the spirit of Religion, and the spirit of Liberty."

One of the finest generalisations of Madame de Staël, because better founded than most of those broad divisions which were so congenial to her turn of thought, is that in which she separates the philosophical progress of the human race into four periods: "*the heroic era*, which was at the foundation of civilisation; *patriotism*, which constituted the glory of antiquity; *chivalry*, which was the armed religion of Europe; and *the love of liberty*, which commenced with the reformation." The early history of this country exhibits very remarkably the difference between the second and the last of these epochs. The most enlightened ancient clung with inconceivable tenacity to his own country; liberty with him was rather an incident than a principle; when deprived of it he either fell on his own sword, lingered within the scent of his assassins, (Cicero was stabbed in his litter, reading Euripides,) or retreated, backwards, with his eye on the capitol, hoping for a signal to return on any terms. The palladium of an ancient colony was always a gross material image—a portion, as it were, of their native soil, generally snatched from the absolute destruction of their former homes. Their liberties were always ruined before they emigrated—they never emigrated to escape ruin. The love of liberty, on the contrary, particularly of religious liberty, teaches men that the rights of property, however well secured, are valueless without a guarantee for the rights of conscience, and, converting an instinct into a virtue, sustains by the purity of its aims the weakness of its enterprises. Antiquity had great names, but "ne'er a Roman of them all," had the Atlantic been bridged, could have pushed a colony beyond the pillars of Hercules. There was an element wanting which we have since found in the pilgrims and in William Penn. This is our answer to those who fling

in our path the story of the ancient republics. We have derived our vitality (and we look the same way for our strength and cohesion) from a principle unknown to them. The warrant of our hope lies in no presumed change in human nature, but in a proved and apparent elevation and expansion in the ends and methods of human existence.

The equality of condition in the United States, an equality coeval with the settlement of the country, and a natural result of the tenets of the early colonists, is traced by M. de Tocqueville through the abolition of the ancient laws of primogeniture and entail, to which, indeed, he seems too much disposed to look rather as a cause than a consequence. If the township system (a system, by the way, confined in its political characteristics almost wholly to New England) was of the nature and importance which it is represented still to possess, it must have been a very effectual leveller, and have operated imperceptibly to neutralise the old law of descents. But any one who will take the trouble to look at the little freeholds of Connecticut and Massachusetts, must perceive that the division of the soil began long before the repeal of the laws in question. The point has, in fact, long since been reached, at which division ceased. New England cannot feed her existing population, and yearly throws off a large surplus into the west. This, however, is not very material. Cause or consequence, all barriers in restraint of the free alienation of land, have long ago been broken down. Posterity is no party to an American bargain and sale. Equality of condition and fortune, as well as of rights, is as nearly established as the difference of intellectual power and the chapter of accidents will admit. This is certainly the object, and the very desirable object, of republican institutions. It needs no remedy. There is among us another point of equality, however, that of *acquirement*, which presents to every stranger a dead level of intellectual uniformity. Like one of our own prairies, the eye looks over it in vain for an elevation. This fact, and the reasons for it, can hardly be supposed to have escaped so accurate an observer as M. de Tocqueville.

“I do not believe that there is a country in the world where, in proportion to the population, there are so few uninstructed, and at the same time so few learned individuals. Primary instruction is within the reach of every body: superior instruction is scarcely to be obtained by any. This is not surprising; it is in fact the necessary consequence of what we have advanced above. Almost all the Americans are in easy circumstances, and can therefore obtain the first elements of human knowledge.

“In America there are comparatively few who are rich enough to live without a profession. Every profession requires an apprenticeship, which limits the time of instruction to the early years of life. At fifteen they enter upon their calling, (*dans une carrière*,) and thus their educa-

tion ends at the age when ours begins. Whatever is done afterwards, is with a view to some special and lucrative object ; a science is taken up as a matter of business, and the only branch of it which is attended to, is such as admits of an immediate practical application.

"In America most of the rich men were formerly poor: most of those who now enjoy leisure were absorbed in business during their youth; the consequence of which is, that when they might have had a taste for study, they had no time for it, and when the time is at their disposal they have no longer the inclination.

"There is no class, then, in America in which the taste for intellectual pleasures is transmitted with hereditary fortune and leisure, and by which the labours of the intellect are held in honour. Accordingly there is an equal want of the desire and the power of application to these objects.

"A middling standard is fixed in America for human knowledge. All approach as near to it as they can; some as they rise, others as they descend. Of course, an immense multitude of persons are to be found who entertain the same number of ideas on religion, history, science, political economy, legislation, and government. The gifts of intellect proceed directly from God, and man cannot prevent their unequal distribution. But in consequence of the state of things which we have here represented, it happens that, although the capacities of men are widely different, as the Creator has doubtless intended they should be, they are submitted to the same method of treatment.

"America, then, exhibits in her social state a most extraordinary phenomenon. Men are there seen on a greater equality in point of fortune and intellect, or, in other words, more equal in their strength, than in any other country of the world, or in any age of which history has preserved the remembrance."

It may not be very flattering to our national vanity to be told that this mediocrity of acquirement is one of the inevitable evils of our form of government, and that, so long as that is preserved, it is in vain to hope to see literary or scientific men sufficiently numerous to form a class in American society. It is an evil therefore under which we must be contented to exist, and for which we must seek an indemnity in the improvement of the whole mass,—the exaltation of the general level. Yet in point of mere pecuniary interest, it is scarcely possible to calculate the loss which we suffer for want of a better estimate of learned men, and, in consequence of the indifference which is displayed by legislative bodies to the interests of science. Our local and minor history slides by us without a record. Scarce an effort is made, on any liberal scale, to explore the geological resources of many portions of a country peculiarly rich in minerals. Agriculture, as a science, is really in a worse condition than it was in the days of Columella. The sword is every day half unsheathed, to settle questions of boundary. All efforts fail (the last efforts which should fail in a commercial nation,) to establish a national observatory; and the arts of fortification and engineering, so far as they depend on national patronage, are threatened with neglect and extinc-

tion. The doubt about the *power* to foster the sciences, arises more from want of *inclination* than of ability ; and that want of inclination is unhappily an inherent and radical defect, not a mere temporary incident. It is folly to shut our own eyes to it, and then believe that it is not visible to others.

Having alluded to equality of condition, we must, before leaving the topic, be permitted to go a little deeper into it, in order to correct one of M. de Tocqueville's most serious errors.

The declared law of American politics, which here is fairly and clearly written down, but which in most other countries is a palimpsest, whose original text has been obscured and nearly obliterated by the valueless traditions of each passing generation,—is *the sovereignty of the people*. This law once established, equality of political rights, with its oldest offspring, universal suffrage, and an approximation to equality of social condition, follow of course. This approximation, but for the accidental existence among us of the black population, would have become still closer. It seems a rule of Providence, that the Spartans shall always have their Helots. Equality of condition, thus tempered, seems so natural a consequence of political equality, that it is not felt as an evil, though foreigners cannot comprehend it. The territorial superiority of the great southern landholders, coupled, as it was, with the existence of African slaves, affected, perhaps, in some degree, their political *influence* ; but *socially*, the distinction was not between the rich and poor white, but between the white and the negro. Besides, they never possessed superior political *rights*—the freehold qualification, even in Virginia, being always attainable, as it was not of great value. As to the few families on the Hudson, they were not numerous enough to form a class. When M. de Tocqueville, therefore, talks of the aristocratic element in this country, and endeavours to trace it even now, he hunts a shadow. There is no such element. In fact he acknowledges that, at the breaking out of the revolution, all the weight of the rich proprietors was thrown into the popular scale. The loyalists were insignificant in point of numbers. The assertion that a class exists, hostile to the political doctrines of the country, is founded on an inference from an assumption. The assumption is, that the two parties which formerly divided the country had different opinions with regard to the fundamental law, of which we have recently spoken ; whereas, they differed merely in the mode of applying it. The inference is, that the unsuccessful one of those parties, comprising, as the author affects to believe, *the rich*, who live retired from public life, now forms a distinct disaffected political body.

“ When the democratic party,” says our author, “ obtained power, they immediately assumed the exclusive direction of affairs, and have ever

since been employed in remodeling, upon their own plan, the laws and the manners of the nation. At present, the richer classes take little part in politics; and wealth, far from conferring power, is a source of distrust, and an obstacle to its attainment. The rich, therefore, prefer rather to abandon the arena than to maintain an unequal contest with their poorest fellow citizens. Unable to assume, in political life, the same station which they hold in domestic intercourse, they abandon the former and occupy themselves exclusively with the latter. Living in the midst of the community, they are separated from it by distinct tastes and enjoyments.

“Look at yonder opulent citizen: you would take him for a Jew of the twelfth century, afraid that his wealth might be suspected. He affects simplicity in his dress and deportment; yet, within his house, no one can be more luxurious. Into that sanctuary, however, only a few select friends, whom he condescends to call his equals, are permitted to penetrate. There is not a noble in Europe more jealous of the privileges of his station than he; nor one more exclusive in his pleasures. The same man, on his way to his dusty counting-house, in the busy part of the town, where he is accessible to every one, stops in the street to talk politics with his shoemaker, and shakes hands with him at parting. Under all this disguise of enthusiastic obsequiousness, it is easy to perceive that the rich are disgusted with democracy, and that they hate and despise the people.”

We are abundantly surprised that so sagacious an observer as M. de Tocqueville, should have allowed himself to fall into such gross absurdities. In the first place he has himself satisfactorily shown, that wealth in America seldom outlasts a single generation. It is therefore a solecism, to point at the wealthy citizens of the current period as the remnants of a political party, abandoning the arena in consequence of the triumph of Mr. Jefferson in 1801. In the next place, it is by no means universally true, that wealthy men are excluded from office; though it generally happens that they do not voluntarily choose to tread a very thorny path, which leads to nothing but regret for lost repose. In the third place, the two facts out of which he has formed such a Janus—Sybarite and demagogue, with one face looking in, the other out of doors—exist principally in his own imagination. Rich men in America, as in other countries, enjoy their wealth in their own way, and with friends of their own choice—if unostentatiously, so much the better; and as to the political interview with the shoemaker, it is (when it takes place at all) the result of the social equality we have spoken of above, and is as much a matter of course, as any other result of it. The shoemaker may be a shrewd person, and capable of making the conversation a beneficial one; or perhaps the two men are united in some useful undertaking, as joint managers of a charity, or joint trustees of a fund. Men in America do not find public political office the surest way to influence. If M. de Tocqueville had looked through the whole class of which he has formed so erroneous

an estimate, he would have discovered very few whose ascendancy is not exerted upon numerous associations of their fellow men, and exerted to most excellent purpose. In these associations, it seldom happens that wealth is an obstacle to confidence. The Jew of the twelfth century in M. de Tocqueville's picture, was probably neither thanking his shoemaker for his vote of yesterday, nor soliciting it for to-morrow; yet he probably had received it, and expected it on the next occasion. In a community where men are in such real contact as they are in ours, the *apparent* contact should not be a matter of surprise. The web is not so close, that the filaments must not occasionally be visible. That wealth gives little power in the United States, we are perfectly willing to grant; but property is amply protected, for the very reason that it is shared by all classes, and that the poor man of to-day may be the rich one of to-morrow. This being the case, the richer classes who wish only to enjoy, according to M. de Tocqueville, are either not discontented, or (which is not to be presumed) are so without a cause. What they desire, is secure—their possessions and their enjoyments; what they do not aspire to, political distinction, they need not complain of wanting. Our author has mistaken a universal concomitant of wealth, in all ages and countries, for an incident in American political physiology. The rich are those who doubt and fear most, because they are those who have most to lose. A French *rentier* is not among the hottest of revolutionists; he shifts his cockade at the eleventh hour. *Festina lente* is good advice in politics, but the rich most fully feel its propriety. If M. de Tocqueville will but read his own notes, or even the pages of his own printed book, he will discover, in what he has there set down concerning America, an ample refutation of one of the few serious mistakes into which he has been led concerning us.

We have already seen that M. de Tocqueville attributes great virtue (and very justly so,) to the experience and activity acquired in the local management of the affairs of towns. He may have pushed his theory too far, but there can be no question as to the beneficial results of provincial legislation. The management of township and county affairs fits men, as in a school, for the more enlarged duties of directing the interests of the state. It moreover gives to each individual a degree of influence and importance felt in his own sphere, and persuades him that he too has a part in forwarding the interests of his country, and promoting the general welfare. Comparing a centralised administration, like that of France, with the diffused power which produces similar ends here, the author says:—

“It is undeniable, that the want of those uniform regulations which

control the conduct of every inhabitant of France, is not unfrequently felt in the United States. Gross instances of social indifference and neglect are to be met with; and from time to time disgraceful blemishes are seen, in complete contrast with the surrounding civilisation. Useful undertakings, which cannot succeed without perpetual attention and rigorous exactitude, are very frequently abandoned in the end; for in America as well as in other countries the people is subject to sudden impulses and momentary exertions. The European who is accustomed to find a functionary always at hand to interfere with all he undertakes, has some difficulty in accustoming himself to the complex mechanism of the administration of the townships. In general it may be affirmed that the lesser details of the police, which render life easy and comfortable, are neglected in America; but that the essential guarantees of man in society are as strong there as elsewhere. In America the power which conducts the government is far less regular, less enlightened, and less learned, but an hundred fold more authoritative than in Europe. In no country in the world do the citizens make such exertions for the common weal: and I am acquainted with no people which has established schools as numerous and as efficacious, places of public worship better suited to the wants of the inhabitants, or roads kept in better repair. Uniformity or permanence of design, the minute arrangement of details, and the perfection of an ingenious administration, must not be sought for in the United States: but it will be easy to find, on the other hand, the symptoms of a power, which, if it is somewhat barbarous, is at least robust; and of an existence, which is checkered with accidents indeed, but cheered at the same time by animation and effort.

“It is not the *administrative*, but the *political* effects of the local system that I most admire in America. In the United States the interests of the country are every where kept in view; they are an object of solicitude to the people of the whole Union, and every citizen is as warmly attached to them as if they were his own. He takes pride in the glory of his nation; he boasts of its success, to which he conceives himself to have contributed; and he rejoices in the general prosperity by which he profits. The feeling he entertains towards the state is analogous to that which unites him to his family, and it is by a kind of egotism that he interests himself in the welfare of his country.

“The European generally submits to a public officer because he represents a superior force; but to an American he represents a right. In America it may be said that no one renders obedience to man, but to justice and to law. If the opinion which the citizen entertains of himself is exaggerated, it is at least salutary; he unhesitatingly confides in his own powers, which appear to him to be all-sufficient. When a private individual meditates an undertaking, however directly connected it may be with the welfare of society, he never thinks of soliciting the co-operation of the government; but he publishes his plan, offers to execute it himself, courts the assistance of other individuals, and struggles manfully against all obstacles. Undoubtedly he is often less successful than the state might have been in his position; but in the end, the sum of these private undertakings far exceeds all that the government could have done.

“I believe that provincial institutions are useful to all nations, but nowhere do they appear to me to be more indispensable than amongst a democratic people. In an aristocracy, order can always be maintained in the midst of liberty; and as the rulers have a great deal to lose, order is to them a first-rate consideration. In like manner an aristocracy protects the people from the excesses of despotism, because it always

possesses an organised power ready to resist a despot. But a democracy without provincial institutions has no security against these evils. How can a populace, unaccustomed to freedom in small concerns, learn to use it temperately in great affairs? What resistance can be offered to tyranny in a country where every private individual is impotent, and where the citizens are united by no common tie? Those who dread the license of the mob, and those who fear the rule of absolute power, ought alike to desire the progressive growth of provincial liberties."

M. de Tocqueville's opinions upon the importance of the judicial function in the United States are too important to be wholly passed over, though we have not room for them *in extenso*. He is nearly right in his view of the unanimity with which the character of the principal of those functions is acknowledged, although he goes too far when he asserts that not so much as an individual is found to contest it. Should he again visit the United States, we shall take pleasure in furnishing him with the elaborate opinion of a learned and ingenious judge in strong, though we believe not very successful, contravention of the powers of his order. *Ampliare jurisdictionem* is said to be a besetting judicial sin; henceforth the calumny cannot be proverbial.

"The Americans have retained the three distinguishing characteristics of the judicial power; an American judge can only pronounce a decision when litigation has arisen, he is only conversant with special cases, and he cannot act until the cause has been duly brought before the court. His position is therefore perfectly similar to that of the magistrate of other nations; and he is nevertheless invested with immense political power. If the sphere of his authority and his means of action are the same as those of other judges, it may be asked whence he derives a power which they do not possess. The cause of this difference lies in the simple fact that the Americans have acknowledged the right of the judges to found their decisions on the constitution, rather than on the laws. In other words, they have left them at liberty not to apply such laws as may appear to them to be unconstitutional.

"I am aware that a similar right has been claimed—but claimed in vain—by courts of justice in other countries; but in America it is recognised by all the authorities; and not a party, nor so much as an individual, is found to contest it.

"Whenever a law which the judge holds to be unconstitutional is argued in a tribunal of the United States, he may refuse to admit it as a rule; this power is the only one which is peculiar to the American magistrate, but it gives rise to immense political influence. Few laws can escape the searching analysis of the judicial power for any length of time, for there are few which are not prejudicial to some private interest or other, and none which may not be brought before a court of justice by the choice of parties, or by the necessity of the case. But from the time that a judge has refused to apply any given law in a case, that law loses a portion of its moral cogency. The persons to whose interests it is prejudicial, learn that means exist of evading its authority; and similar suits are multiplied, until it becomes powerless. One of two alternatives must then be resorted to: the people must alter the constitution, or the legislature must repeal the law. The political power which the

Americans have intrusted to their courts of justice is therefore immense ; but the evils of this power are considerably diminished, by the obligation which has been imposed of attacking the laws through the courts of justice alone. If the judge had been empowered to contest the laws on the ground of theoretical generalities ; if he had been enabled to open an attack or to pass a censure on the legislator, he would have played a prominent part in the political sphere ; and as the champion or the antagonist of a party, he would have arrayed the hostile passions of a nation in the conflict. But when a judge contests a law, applied to some particular case in an obscure proceeding, the importance of his attack is concealed from the public gaze ; his decision bears upon the interest of an individual, and if the law is slighted, it is only collaterally. Moreover, although it be censured, it is not abolished ; its moral force may be diminished, but its cogency is by no means suspended ; and its final destruction can only be accomplished by the reiterated attacks of judicial functionaries. It will readily be understood that by connecting the censureship of the laws with the private interests of members of the community, and by intimately uniting the prosecution of the law with the prosecution of an individual, the legislation is protected from wanton assailants, and from the daily aggressions of party spirit. The errors of the legislator are exposed whenever their evil consequences are most felt ; and it is always a positive and appreciable fact which serves as the basis of a prosecution.

“ I am inclined to believe this practice of the American courts to be at once the most favourable to liberty as well as to public order. If the judge could only attack the legislator openly and directly, he would sometimes be afraid to oppose any resistance to his will ; and at other moments party spirit might encourage him to brave it at every turn. The laws would consequently be attacked when the power from which they emanate is weak, and obeyed when it is strong. That is to say, when it would be useful to respect them, they would be contested ; and when it would be easy to convert them into an instrument of oppression, they would be respected. But the American judge is brought into the political arena independently of his own will. He only judges the law, because he is obliged to judge a case. The political question which he is called upon to resolve is connected with the interest of the parties, and he cannot refuse to decide it without abdicating the duties of his post. He performs his functions as a citizen by fulfilling the precise duties which belong to his profession as a magistrate. It is true that upon this system the judicial censureship which is exercised by the courts of justice over the legislation cannot extend to all laws indistinctly, in as much as some of them can never give rise to that exact species of contestation which is termed a law-suit ; and even when such a contestation is possible, it may happen that no one cares to bring it before a court of justice. The Americans have often felt this disadvantage, but they have left the remedy incomplete, lest they should give it an efficacy which might in some cases prove dangerous. Within these limits, the power vested in the American courts of justice of pronouncing a statute to be unconstitutional, forms one of the most powerful barriers which has ever been devised against the tyranny of political assemblies.”

We cannot follow our author through the history of the federal constitution. The road is too familiar to our readers, and the journey would seem tedious. But we shall cull, without any comment, here and there an opinion or sentiment, to

illustrate his mode of viewing it, and because the notions of an intelligent traveller, be they true or false, are valuable, in as much as he does not look from a common point of view with ourselves.

“The confederation was already on the verge of destruction, when it officially proclaimed its inability to conduct the government, and appealed to the constituent authority of the nation. If America ever approached (for however brief a time) that lofty pinnacle of glory to which the fancy of its inhabitants is wont to point, it was at the solemn moment at which the power of the nation abdicated, as it were, the empire of the land. All ages have furnished the spectacle of a people struggling with energy to win its independence; and the efforts of the Americans in throwing off the English yoke have been considerably exaggerated. Separated from their enemies by three thousand miles of ocean, and backed by a powerful ally, the success of the United States may be more justly attributed to their geographical position than to the valour of their armies or the patriotism of their citizens. It would be ridiculous to compare the American war to the wars of the French revolution, or the efforts of the Americans to those of the French, when they were attacked by the whole of Europe, without credit and without allies, yet capable of opposing a twentieth part of their population to the world, and of bearing the torch of revolution beyond their frontiers whilst they stifled its devouring flame within the bosom of their country. But it is a novelty in the history of society to see a great people turn a calm and scrutinising eye upon itself when apprised by the legislature that the wheels of government are stopped; to see it carefully examine the extent of the evil, and patiently wait for two whole years until a remedy was discovered, which it voluntarily adopted without having wrung a tear or a drop of blood from mankind. At the time when the inadequacy of the first constitution was discovered, America possessed the double advantage of that calm which had succeeded the effervescence of the revolution, and of those great men who had led the revolution to a successful issue. The assembly which accepted the task of composing the second constitution was small;* but George Washington was its president, and it contained the choicest talents and the noblest hearts which had ever appeared in the new world.” * * * * *

“In examining the balance of power as established by the federal constitution; in remarking on the one hand the portion of sovereignty which has been reserved to the several states, and on the other the share of power which the Union has assumed, it is evident that the federal legislators entertained the clearest and most accurate notions on the nature of the centralisation of government. The United States form not only a republic, but a confederation; nevertheless the authority of the nation is more central than it was in several of the monarchies of Europe when the American constitution was formed.” * *

“The dependence of the executive power is one of the defects inherent in republican constitutions. The Americans have not been able to counteract the tendency which legislative assemblies have to get possession of the government, but they have rendered this propensity less irresistible. The salary of the president is fixed, at the time of his

* “It consisted of fifty-five members; Washington, Madison, Hamilton, and the two Morris were amongst the number.”

entering upon office, for the whole period of his magistracy. The president is moreover provided with a suspensive veto, which allows him to oppose the passing of such laws as might destroy the portion of independence which the constitution awards him. The struggle between the president and the legislature must always be an unequal one, since the latter is certain of bearing down all resistance by persevering in its plans; but the suspensive veto forces it at least to reconsider the matter, and, if the motion be persisted in, it must then be backed by a majority of two-thirds of the whole house. The veto is, in fact, a sort of appeal to the people. The executive power, which, without this security, might have been secretly oppressed, adopts this means of pleading its cause and stating its motives. But if the legislature is certain of overpowering all resistance by persevering in its plans, I reply, that in the constitutions of all nations, of whatever kind they may be, a certain point exists at which the legislator is obliged to have recourse to the good sense and the virtue of his fellow-citizens." * * *

"Hitherto no citizen has shown any disposition to expose his honour and his life in order to become the president of the United States; because the power of that office is temporary, limited, and subordinate. The prize of fortune must be great to encourage adventurers in so desperate a game. No candidate has as yet been able to arouse the dangerous enthusiasm or the passionate sympathies of the people in his favour: for the very simple reason, that when he is at the head of the government he has but little power, but little wealth, and but little glory to share amongst his friends; and his influence in the state is too small for the success or the ruin of a faction to depend upon the elevation of an individual to power." * * *

"The Americans have admitted that the head of the executive power, who has to bear the whole responsibility of the duties he is called upon to fulfil, ought to be empowered to choose his own agents, and to remove them at pleasure: the legislative bodies watch the conduct of the president more than they direct it. The consequence of this arrangement is, that at every new election the fate of all the federal public officers is in suspense. Mr. Quincy Adams, on his entry into office, discharged the majority of the individuals who had been appointed by his predecessor: and I am not aware that General Jackson allowed a single removeable functionary employed in the federal service to retain his place beyond the first year which succeeded his election. It is sometimes made a subject of complaint, that in the constitutional monarchies of Europe the fate of the humbler servants of an administration depends upon that of the ministers. But in elective governments this evil is far greater. In a constitutional monarchy successive ministries are rapidly formed; but as the principal representative of the executive power does not change, the spirit of innovation is kept within bounds; the changes which take place are in the details rather than in the principles of the administrative system: but to substitute one system for another, as is done in America every four years by law, is to cause a sort of revolution. As to the misfortunes which may fall upon individuals in consequence of this state of things, it must be allowed that the uncertain situation of the public officers is less fraught with evil consequences in America than elsewhere. It is so easy to acquire an independent position in the United States, that the public officer who loses his place may be deprived of the comforts of life, but not of the means of subsistence."

"Whatever the prerogatives of the executive power may be, the period which immediately precedes an election, and the moment of its duration, must always be considered as a national crisis, which is perilous in pro-

portion to the internal embarrassments and the external dangers of the country. Few of the nations of Europe could escape the calamities of anarchy or of conquest, every time they might have to elect a new sovereign. In America society is so constituted that it can stand without assistance upon its own basis; nothing is to be feared from the pressure of external dangers; and the election of the president is a cause of agitation, but not of ruin." * * * *

"It is impossible to consider the ordinary course of affairs in the United States without perceiving that the desire of being re-elected is the chief aim of the president; that his whole administration, and even his most indifferent measures, tend to this object; and that, as the crisis approaches, his personal interest takes the place of his interest in the public good. The principle of re-eligibility renders the corrupt influence of elective governments still more extensive and pernicious.

"If ineligible a second time, the president would be far from independent of the people, for his responsibility would not be lessened; but the favour of the people would not be so necessary to him as to induce him to court it by humouring its desires. If re-eligible, (and this is more especially true at the present day, when political morality is relaxed, and when great men are rare,) the president of the United States becomes an easy tool in the hands of the majority. He adopts its likings and its animosities, he hastens to anticipate its wishes, he forestalls its complaints, he yields to its idlest cravings, and instead of guiding it, as the legislature intended that he should do, he is ever ready to follow its bidding. Thus, in order not to deprive the state of the talents of an individual, those talents have been rendered almost useless; and to reserve an expedient for extraordinary perils, the country has been exposed to daily dangers." * * * *

"When the clerk of the Supreme Court of the United States advances on the steps of the tribunal, and simply says, 'the state of New York *versus* the state of Ohio,' it is impossible not to feel that the court which he addresses is no ordinary body; and when it is recollected that one of these parties represents one million, and the other two millions of men, one is struck by the responsibility of the seven judges whose decision is about to satisfy or disappoint so large a number of their fellow-citizens.

"The peace, the prosperity, and the very existence of the Union are vested in the hands of the seven judges. Without their active co-operation the constitution would be a dead letter; the executive appeals to them for assistance against the encroachments of the legislative powers; the legislature demands their protection from the designs of the executive; they defend the Union from the disobedience of the states, the states from the exaggerated claims of the Union, the public interest against the interests of private citizens, and the conservative spirit of order against the fleeting innovations of democracy. Their power is enormous, but it is clothed in the authority of public opinion. They are the all-powerful guardians of a people which respects law; but they would be impotent against popular neglect or popular contempt. The force of public opinion is the most intractable of agents, because its exact limits cannot be defined: and it is not less dangerous to exceed, than to remain below, the boundary prescribed."

"All commodities and ideas circulate throughout the Union as freely as in a country inhabited by one people. Nothing checks the spirit of enterprise. The government avails itself of the assistance of all who have talents or knowledge to serve it. Within the frontiers of the Union the profoundest peace prevails, as within the heart of some great

empire; abroad, it ranks with the most powerful nations of the earth; two thousand miles of coast are open to the commerce of the world; and as it possesses the keys of the globe, its flag is respected in the most remote seas. The Union is as happy and as free as a small people, and as glorious and as strong as a great nation."

We might with great pleasure and advantage to our readers extend these extracts, but they have already run to an alarming length, and we have yet another volume before us. Upon many minute points we might except to the author's views, and perhaps discover inaccuracies of information, but we prefer to let him speak for himself and be judged by the reader. The inadequacy of the Union to great emergencies, and the monopoly by each state of the affections of its citizens, in contradistinction from the national government, are, we think, too broadly stated in a subsequent page of the work. At the north, we are perfectly certain that the idea of state rights and state sovereignty are not doctrines of very definite shape or colour. Local attachments may be strong, but the pride of country is not provincial but American. In another part of the United States different views have obtained, whose origin, history, cause, and consequences, could be traced more easily than agreeably. We shall not essay the labour here, but we protest against their imputation to any but their lawful parents.

As the laws and institutions of the country form the first subjects of discussion with M. de Tocqueville, so the influence of the popular sovereignty, and its tendencies in remodeling, sustaining, or altering them, are considered in his second volume. Hitherto we have been aided in our extracts by the excellent translation of Mr. Reeve, but the sequel of that gentleman's labours has not yet reached us, if, indeed, it has appeared in London. In this part of his work, M. de Tocqueville, having a freer field for speculation, generalises more boldly, and now and then mistakes an hypothesis for a fact. Occasionally, too, he pushes a fact into the very outermost regions of absurdity. Take, for instance, the following sketch:—

"Opinion, invisible and intangible as it is, laughs at despotic power. In our day the most absolute prince in Europe cannot hinder the circulation of ideas hostile to his authority, not merely in his dominions, but in his very court. Not so in America: while the majority is uncertain, people talk—the moment it pronounces its decree, every one is mute: friends and enemies alike attend the car of the victor. The reason is obvious, for no monarch can at once grasp all the powers of society and overcome every obstacle to his government: these are the prerogatives of a majority, clothed equally with the right of making the laws, and the power of executing them."

Not a very clear reason in its terms, nor a very satisfactory one in its logic. But to proceed.

"I am not acquainted with any country in which, as a general observation, there exists less moral independence or less real freedom of discussion than in America. Under the constitutional governments of Europe every possible theory in religion and politics may be openly promulgated, and, consequently, communicated to the adjoining states. It cannot be otherwise; for there is not a nation in Europe so enslaved to a single power, that the man who enters it for the purpose of publishing the truth will not find a sufficient guarantee against the effects of his independence."

What would M. de Tocqueville think of Poland? We question much if he could save his head if he undertook to publish the "*Démocratie*" in Warsaw. What is his opinion of the recent law against the press in France? Or of the seizure of the English newspapers at Calais the other day?

"In America the majority describes a formidable circle around thought. Within its boundaries the press is free, but woe to him who ventures to overleap them! Not that he is in danger of an *auto da fe*, but he is exposed to manifold contempt and daily persecution. He has closed the avenue to political distinction by offending the power which keeps the key of it. Every hope is denied to him,—even that of glory. Before he published his opinions he, perchance, had supporters; when his sentiments are known, they appear no more. Those who censure him, do so loudly; while those who concur with him, lacking his courage, desert him and hold their peace. He yields at last, overcome by reiterated effort, and buries himself in silence, as if remorseful at having told the truth."

In all this, and much more of the same sort, no American will recognise a fair picture of his country. If he did, it should be his country no longer. He should emigrate to the dominions of Mohammed Pacha or the Czar. What does the author mean? If he intends to say that parties are proscriptive, and that the minority does not share in the benefits of the contest, we agree with him. If he means that after the important change in the principles upon which the federal government was administered, a great deal of very undeserved obloquy was heaped upon the federalists, we again agree with him. If he means to say that no man who openly avows the principles of despotic rule, who professes himself, in the newspapers, an enemy to equal rights and laws made for the many, can be elected by the many to office, we still agree with him. But if we are called upon to believe, that because a host of crude and visionary schemes of government, speculations upon the social compact, and new-fangled Utopian experiments, are not daily issued from the press and discussed in the market-place, therefore men's mouths are sealed, we do not agree with him. Cannot a reason that lies at the door, if it be a good one, serve as fair a turn as one sought for in a well? Does not the learned author see, that in a busy country like this, we are too much

occupied with the real transactions of life to set about building pyramids? That if government is not discussed,—if new political opinions are not broached, (as, by the way, is every day the case,) it is because men are content with what they have,—protection for their best interests and a free future for their children? It is the fever of politics,—revolution, coming or present,—in the Encyclopædia, the Jacobin club or the National Assembly, that fills the citizen's head with visions. Then, when the tenure of property is shaken, and the pillars of the old house begin to bend, then comes political speculation, until order descends to anarchy, and anarchy retreats to despotism. What citizen has M. de Tocqueville ever seen who has suffered ostracism for his opinions? If distinguished men will stake their reputation upon false and untenable theories, they cannot expect employment; but they are never forced to retreat into silence by the tyranny of those who think differently. The author was too early in this country to know much of the slavery question, now so fruitful a source of discussion. If he refers, however, to that, we beg him to suspend his decision until some stranger to the social compact shall deem it his right to set fire to his house, and shall be found, by its owner, in the act of applying the torch: we are inclined to believe that a file of the National Guards (if they do patrol duty) would very soon find means to convince the innovator that he belonged to the minority. We are no strangers to the fact, that majorities are intolerant of opinions in which they do not concur. The guillotine has whispered that fact to us in no very measured accents. But who told M. de Tocqueville that this intolerance was peculiar to America? He is too well read in history, perhaps he is too old a man, not to remember Mr. Pitt. Perhaps, too, he has heard of Horne Tooke, and of the fate of some of his speculations upon the temper of a majority in England; perhaps of his own countryman, M. Peltier. We cannot for our life appreciate our author when he says that, in Europe, no sovereign can so concentrate all the powers of the nation as that a friend of free discussion cannot find some support upon which to fall back. He finds exactly the support that the previous spread of his opinions has prepared for him. A mufti from Constantinople, coming to London on a crusade in behalf of Mohammedanism, would fall back upon the Turkish ambassador; an emissary from St. Petersburg, preaching absolutism, on his Royal Highness the Duke of Cumberland. So in America. Miss Frances Wright inculcated all manner of loose and anti-social opinions throughout the United States, to those who affected her style and sentiments, but contrary to the firm and fixed belief of an immense majority of the citizens. If Metternich, or any

disciple of his school, should advertise a lecture upon Austrian politics, in which he would show their superiority to every other system, the mob might throw stones at him, and his audience would be small, but the *majority* would not hurt a hair of his head. Five years after, he might succeed to a seat in congress, being properly naturalised, though he would perhaps hear of his former opinions. Doubtless, there are no lectures of this sort, and no newspaper discussions inculcating a change of political system on any grand scale. But M. de Tocqueville ought to remember that our government is just established,—that the people are pleased with it,—that it can hardly stand in need of renovation at so early a day. The whispers which that gentleman speaks of in another place, mysterious givings-out to a passing traveller, are all in idea. Men talk as publicly upon that as on any other topic. We have heard the dissolution of the Union foretold, by persons of all classes and stations who were capable of thinking at all on the subject. It is even the theme of public discussion in the newspapers, not as a desirable, but a possible accident.

According to M. de Tocqueville's hypothesis, a majority, once in possession of power in this country, could never be forced to abdicate it,—opinions once fixed must become an everlasting law,—there could be no tracks out of the cave of the lion. This is an absolute corollary from his proposition. Who believes it? Certainly not Americans of any party, who, from their infancy, have daily seen the press, free to the utmost boundaries of endurable license, representing every shade and variety of opinion, canvassing favourite measures without fear or scruple, and yet, from the birth of the government, only in a solitary instance made the victim of popular outbreak. Nor those who, having ears to hear, have listened, year after year, to the representatives of the minority, always the more resolute in proportion to the pressure under which they act, bearding power and popularity, and far from being silenced, returned to beard it again.

“ This is true liberty, when free born men,
Having to advise the public, may speak free ;
Which he who can and will, deserves high praise :
Who neither can nor will, may hold his peace.”

The precept is as old as the days of Anaxagoras—when Americans forget it, their freedom will prove a false and fleeting shadow.

The author's remarks upon the freedom of the press are sensible and well developed. We copy the general observations introductory to the chapter in which it is considered, as a favourable specimen of his style. His refinements sometimes degenerate into charlatanism, and his *tours de pensée*, thoroughly

national, occasionally strike a foreign reader as conceits. Nevertheless, they indicate a mind accustomed to reason, and are generally the product of a close and philosophical analysis.

"I am a friend to the freedom of the press, rather in consequence of the evils it prevents than of the good it confers; and if any one could show me a middle point between the absolute independence and the complete subjugation of opinion where I could hope to set up my rest, I should, perhaps, embrace it. But who can fix upon such a point? what course is to be pursued in the march from licentiousness to order? First you invoke the aid of a jury to restrain the press, but the jury acquits the offender; and what was before but the opinion of an individual, becomes the creed of a nation. You have therefore fallen far short of your object. You resume your progress, and subject the culprit to the judicial power. Judges, however, cannot condemn without hearing; that which an author would hesitate to insert in his book, a defendant displays without fear in his brief, and thus, what was before obscurely hinted, comes to be repeated a thousand times. Expression is the external form, or, so to speak, the body of thought, but it is not thought itself. The tribunals seize the body, but the spirit escapes—it is too subtle for their grasp. Your object is therefore still unaccomplished, and a new step is to be taken. The censorship is appealed to, and the *author* is in your hands. But the political rostrum is still standing; you have therefore gained nothing—I beg pardon, you have gained a loss. You mistook opinion for one of those material forces whose power is dependent upon the number of its agents—you estimated authors as you would soldiers. But the strength of opinion is not to be thus calculated; it frequently lies in the very paucity of its supporters; a single word from a vigorous intellect to a silent but excited assemblage, will produce more effect than the confused declamations of a thousand orators—a phrase, dropped boldly in a market-place, passes from village to village. Freedom of speech now follows the fate of freedom of the press. You are at length at the goal. The nation is silenced. But what a goal! You sought a remedy for the abuse of liberty, and I find you under the heel of a despot."

Of the American newspaper press, we are sorry to say that M. de Tocqueville, like most travellers, does not give a very flattering account; nor can he do so, until personal invective ceases to be the main characteristic of newspaper discussion. He believes, however, that the very extent of its liberty, and the facility with which journals are increased, together with the fact that from an early period of our history, they have been an attendant upon American politics, leave all danger from them out of the question. The press can never become a centralised antagonist power—independent and self-supported, as in France. The force which sustains it is too much diffused—it does not lead but follow public opinion. If, therefore, it suffers under the imputation of mediocrity and bad taste, it cannot, on the other hand, become dangerous to the public tranquillity.

"The spirit of the American journalist consists in undisguised and inartificial appeals to the passions of those whom he addresses; in leaving principles to attack men; in following the latter into the recesses of private life, to expose their errors and vices. One cannot but deplore

such an abuse of power, and, farther on, I may have occasion to investigate the influence of newspapers upon the taste and morals of the Americans ; but it is impossible not to admit that, in a political point of view, the indirect tendency of all this licentiousness is to preserve the general tranquillity. Popular individuals are afraid to contribute to the newspapers, and are thus deprived of the instrument by which they might operate most effectually on the passions of the community. A further result is, that the personal views of editors are of very little weight in the eyes of the public, which looks to them merely for facts. The little force, therefore, which their opinions can carry with them, must arise from the alteration or perversion of those facts."

It is not generally known, we believe, that a legislative attempt was made against the press within twenty years after the publication of the first newspaper in the United States. We give the anecdote from M. de Tocqueville's appendix, as illustrative of the spirit of the times, and indicative of the future destiny of Franklin. A committee of the Massachusetts legislature, on the 14th Jan. 1722, reported as follows:—

"The committee appointed by the general assembly to consider the charges against '*The New England Courant*,' are of opinion that the tendency of that paper is to subject religion to derision and contempt; that it treats the sacred writers in a profane and irreverent style; that it misinterprets the conduct of the ministers of the gospel; that it insults his majesty's government, and interrupts the peace and tranquillity of the province. The committee, therefore, recommend that James Franklin, the printer and editor, be prohibited from the farther printing and publication of said paper, or any other, without permission from the provincial secretary, and that the justices of the peace for the county of Suffolk be directed to require from Mr. Franklin security for his good behaviour during the current year.

"The report was accepted and passed into a law, but produced no effect. *The New England Courant* re-appeared, with Benjamin Franklin at the foot of its columns, in place of James, and public opinion sustained the evasion."

We regret that we cannot even enter upon several of the most important topics discussed in the work of M. de Tocqueville; such as the effect of universal suffrage, the influence of religion in the United States, and the political importance of the Jury, all which, particularly the last two, are treated with great truth and acuteness. Should his volumes be republished here, as we have no doubt they will be, we especially recommend those chapters to the attention of the American reader, as we do the remarks upon the condition and probable destiny of the three races which now divide our territory. The final disappearance of the Indian tribes, at no very remote period, is demonstrated. Too weak for war, and too wild for civilisation, there is no element in their character and no feature in their history which holds out a hope of their salvation. We have long looked upon such a result as the consequence

of an irreversible law, as much beyond our means of control as the encroachments of the ocean.

“In whatever point of view the aborigines of North America are regarded, their fatal destiny seems irresistible. If they remain savage, they must retreat before the progress of the whites; if they endeavour to become civilised, their contact with men more advanced than themselves exposes them to oppression and wretchedness. If they continue their retreat, from desert to desert, they must perish; if they essay to settle, their ruin is equally certain. Capable of becoming enlightened only by means of the European race, the approach of that race but depraves their morals and repels them into barbarism. Left to themselves, they refuse to alter their habits; and, when at length, they desire the change, it is too late to accomplish it.”

We are not among those whose political morality justifies ill deeds by good consequences; but granting the truth of much of the declamation which has been fulminated against the United States, upon the subject of the Indians, it is impossible not to see, that either they must have been subjugated (and subjugation with them is little else than extermination), or the white colonists must have yielded all hopes of maintaining themselves in America. Even at this moment, tribes of these wild warriors are harassing our settlements and threatening old and populous towns. What would have been the result (if it could have been effected) of pushing them, *en masse*, beyond a particular parallel of latitude? Would they have acknowledged the laws of nations, and respected an imaginary boundary? Civilisation is out of the question. A residence of many years in society, education and a knowledge of the arts of polished life, have been found insufficient to alter the instinct of the savage. The English justify their despotism in India, by the benefits it has conferred on its inhabitants. Has the erection of a great and civilised nation here, a home for the over-tasked bondman of Europe, conferred no benefits on universal humanity? Revolutions are always accompanied with great physical evil. The northern hordes invaded the Roman empire, and men still shrink aghast from the history of the spoilers; but, from the long night of crime and blood, has risen a day which has brought back the ancient civilisation without its corruption, and resuscitated the refinement of the past without its weakness. The Goths, in their crusade against the wealth of the south, found Christianity. This was the Providence of the destruction of Italy. Yet theirs was a war against civilisation, ours has been a progress against barbarism. We appeal from the harangues of partial philanthropy to the great interests of all mankind, and while we could wish that the weak and ignorant savage could, by some superhuman effort, have become a participator in an exalted destiny, we

rejoice that, since he could not, his place has been supplied by a race of men capable to appreciate the high vocation of their species.

On this topic, as on that of the negroes, we ask no advice from Europeans, thrusting upon us, at the distance of three thousand miles, casuistical abstractions, in utter ignorance of our real situation. Let that nation which, in all its dealings with its own citizens or with foreign countries, has been guided and governed by the sovereign rule of right,—the *fay ce que tu dois, adviennne ce que pourra*,—throw the first stone at us. Let those, on the contrary, who have forgotten it, as interest or policy dictated, remember the proverb of glass houses. We console ourselves with the reflection, that, if a few savage tribes have, imperceptibly, withered away before us,—that, if a dark seed, planted by Europe herself in our virgin soil, two hundred years ago, has grown into a tree which casts a shade too dark for shelter, and bears a fruit too bitter for nourishment, we, at least, have sacrificed no armies to the lust of power, we have no bloody records of perjured and perverted justice, we have exiled no citizens for conscience sake, and slain no mobs for revenge. We have neither a holy inquisition, nor a holy alliance,—no royal conspiracy against men's secular rights,—no priestly cabal against their hopes of heaven. Beziers is not ours, nor St. Bartholemew's,—neither the ordinances of Versailles nor the proscriptions of the Rue St. Jacques. Human and imperfect as we are, we have done what the structure of our government (weak perhaps, but weak for evil as well as for good) would permit, to alleviate misfortunes which no mortal power could prevent. We are answerable for no more—the rest is with Omnipotence.

There are passages of much force and a good deal of interesting speculation in the chapter devoted by M. de Tocqueville to the present lot and probable fate of the American negroes, but we cannot enter upon the discussion, interesting as it is. Leaving the philosophy of the topic aside, we will dismiss it altogether, with a single extract from its poetry. It is a tribute to the philanthropy of the Colonisation Society:—

“Transported back to their father-land, the negroes have introduced there the institutions of America. Liberia has a representative government, negro juries, priests, and magistrates. She has her churches, and her newspapers; and, by a singular revolution in the vicissitudes of the world, no white man is permitted to dwell within her boundaries.—Strange sport of chance indeed! Two centuries ago the native of Europe tore the African from his family and country, to transport him to the shores of North America. Now he recrosses the Atlantic to restore that African's posterity to the country of their forefathers. The barbarian has found the light of civilisation in the bosom of slavery, and learned in bondage the lessons of freedom.”

It is as a commercial people that the Americans have most attracted attention abroad. The wealth and strength arising from the pursuits of successful trade, and a new flag pushing its way into the most remote seas, are, in this age of money, circumstances which must force a passing notice from every traveller. Commerce is the parent of naval strength, and naval strength of political importance. A young power already formidable, and capable in this respect of unlimited development, is a problem worth watching. Besides, our trade, in the absence of foreign alliances, is the chain which binds us to the old world, and the most potent peace-maker between us and Europe. Those who scarcely know the language we speak, well understand that we grow cotton, and that we carry it to Europe on cheaper terms than any other nation. This latter circumstance, together with its incident, successful rivalry in the foreign carrying trade, has given interest in Europe to the enquiry, whence the comparative cheapness of American navigation arises? Some have sought an answer to it in the improved models on which our ships are constructed, losing sight of the consequence, that what is gained in speed is lost in capacity; others in the abundance of certain materials for ship-building, forgetting the high rates of mechanical labour, and seamen's wages. The subject has not escaped our author; and if not wholly conclusive, his explanations are original and interesting: not the less interesting, that the prospect of a struggle between his country and ours, of which the ocean will be the principal theatre, seems to be increasing.

“My impression is, that the superior economy of American navigation is not to be accounted for upon physical grounds; it must be referred to causes wholly intellectual and moral. The following comparison will illustrate my meaning.

“During the wars of the revolution, the French introduced into the military art a system of tactics whose novelty perplexed the most veteran generals, and threatened the destruction of the oldest monarchies of Europe. They essayed, for the first time, to dispense with many things hitherto deemed indispensable in war, and they required from their soldiers uncommon efforts, such as no civilised people had ever before demanded. Every thing was carried by storm, and men's lives were unhesitatingly sacrificed for the accomplishment of the object in view. Although poorer and less numerous than their antagonists, and infinitely more restricted in their resources, they were uniformly successful, until their enemies learned to imitate them. The Americans have ordered their trade upon principles somewhat analogous—what the French did for victory, they do for economy.

“The European mariner exercises his trade discreetly; he puts to sea only in favourable weather, and returns if he meets with an accident; at night he takes in sail, and where the colour of the water indicates an approach to land, he lies to and consults the sun. The American, on the contrary, omits all this precaution, and defies danger; he sails while the gale is still raging, and pushes on, night and day, under a press of

canvass. He repairs his shattered vessel on the voyage, and on approaching its termination, makes as confidently towards the coast as though he was already in sight of port. He is frequently shipwrecked, but there is no sailor who crosses the seas so rapidly as he. Doing what others do in less time than they, he must of course do it cheaper.

"In the course of a long passage, the European thinks it his duty to touch at several ports, wastes precious time in seeking proper places for his purpose, and pays heavily while he waits an opportunity to resume his voyage. The American starts from Boston, to buy tea in China. He arrives in Canton, stays a few days, and returns. In less than two years he has traversed the circumference of the globe, and been but once ashore. For eight or ten months he has lived upon salt beef and brackish water. He has struggled without intermission with the perils of the sea, and against maladies of mind and body, but he can afford to sell his tea at a cent in the pound less than his English rival; he has accomplished his end.

"I cannot better explain my idea, than by saying that the Americans have mingled a kind of heroism with the pursuits of trade."

After all, we cannot flatter ourselves that our commercial heroism possesses much of the ideal. It dwells in the profit, not in the glory of the exploit. Americans will never vex the Frozen Ocean to find out a northwest passage, though no nation will use it more than they, after the discovery is made. We saw not long ago a letter from a young countryman of ours—a person of education and refinement—dated at St. Helena, which spoke only of "Hamburg and a market," forgetting entirely that Napoleon lies there, midway between Asia and Europe, so completely was the writer's romance swallowed up in reality. Yet the letter was not addressed to a consignor, but to a friend of his own age, uninterested in his adventure.

We must make room for one or two additional extracts. They are from the summary with which the author concludes his work. After asserting that the ratio of increase among the Anglo-Americans, during every period of their history, has been the same, he adds:—

"There is no reason to believe that the progress of the Anglo-American race in the United States, can be checked. The dissolution of the Union, accompanied by civil wars, or the substitution of despotism for a republic, may retard its development, but cannot hinder the irresistible fulfilment of its destiny. No power on earth can prevent emigration to those fertile wastes, which on every side invite the industrious settler, and offer him a safe asylum from misfortune. Future events, be they what they may, cannot deprive the Americans of their climate, their inland seas, their great rivers, or their fertile soil. Bad laws, revolutions, and anarchy, cannot destroy that love of comfort and spirit of enterprise which are the characteristics of their stock, or extinguish at once their intelligence and knowledge. In the uncertainty of the future, one result at least is apparent. At no very distant period (for we are

speaking of the existence of a nation,) the Anglo-Americans alone, will occupy the immense space between the Polar Sea and the tropics, and will spread from the Atlantic to the Pacific Ocean.

"The territory covered by this race, will one day equal three fourths of Europe. The climate of the United States is on the average better than hers; their natural advantages are at least equal; their population must therefore become proportionately large. Now Europe, in spite of her numerous territorial divisions, in spite of incessant wars and the barbarism of the dark ages, reckons four hundred and ten inhabitants to the square league. What is there to prevent America from doing the same?" * * *

"The single tie of religion was sufficient, during the middle ages, to unite the various nations of Europe within the pale of a similar polity. The English of the new world possess a thousand other ties, and they exist, moreover, in a period the universal tendency of which is towards equality. The characteristic of the middle ages was dismemberment. Each nation, province, city, and family, strove for individuality. At present the tendency is the other way, towards union. Intellectual links unite the most remote portions of the earth, and men are not content to remain for a day strangers to each other, or ignorant of what is passing in any corner of the world. Thus, notwithstanding the ocean between them, there is really less difference at this moment between Europeans and their descendants in America, than between certain towns of the thirteenth century, which were separated but by a river. If this tendency to assimilation is sufficient to unite distant nations, the supposition that different offspring from the same stock will become estranged, is opposed to all sound logic. The time must therefore come, when North America will present the spectacle of one hundred and fifty millions of men* mutually equal, belonging to the same race, having the same point of departure, the same civilisation, the same language, religion, habits, and manners, and among whom thought circulates under the same form and colouring. The rest is doubtful; but so much is a reality hitherto unknown in the history of the world, and of which the imagination itself cannot figure the scope and issue."

Incendit animum famæ venientis amore. If we owed nothing more to M. de Tocqueville, he deserves our gratitude for holding out to us the noblest incentive to virtuous exertion ever presented to a people. That vision of the future, vast as it has seemed even to ourselves, he has interpreted and verified. Its consummation depends upon the laws of nature alone—its fulfilment is as certain as the revolutions of the planets. *That* is no more a theme for doubt or derision. But what shall be the moral characteristics of that future, and on what safe ground the long-vexed question of might and right shall finally settle, are enquiries which *he* may leave to uncertainty, but which it behoves *us* neither to palter with nor avoid, inasmuch as upon *us* depends, to a certain extent, their solution.

* "This is founded on the European estimate, mentioned above, of four hundred and ten to the square league."—*M. de T.'s note.*

It is not to be denied, that of all the attributes of national greatness, mere material power is the most fearful and uncontrollable. It is the eyeless Cyclops, reeling madly about his cavern, or thundering over the hills and waters. Yet who doubts that the tendencies of society are naturally towards the development of this power, and that the whole history of the world exhibits a series of struggles between it and the ascendancy of thought and reason, in which the former has most frequently been successful? From the period when, in the great allegory of antiquity, Strength and Force bound the benefactor of mankind to Caucasus, down to the latest outbreaking of popular violence, scarce a year but can furnish its proof of the position. Government has in most ages been founded upon it, varying only in the application of the rule: now combined with the people, setting fire to its chariot-wheels by the very rapidity of its progress; anon opposed to them, until the elements which should temper and confirm their union have become ineffectual or hostile, and the ingredients of society have ceased to cohere. The world has never seen a thousand years of strength subservient to law. The people, in some sudden fury, tear their own charters, if no invader comes to cut them, or no despot arises to override or obliterate them. They kindle a flame in the market-place for sport, and keep it up for spoil, forgetting that they are but rebels against themselves.

There is little in the annals of ancient times to help us in this difficulty. The old world had plenty of beacons, but no lighthouses. Individual greatness there was, in abundance; patriotic actions, the mark and majesty of the primal age; but a demagogue, "with his sponge moisten'd in gall," could wipe them all away. Octavius eclipsed Cicero in the catalogue of Anchises; in truth, he half overshadows him still. The few who dared to seek an antagonist power to that which governed the world, like most early discoverers in science, physical, moral, or intellectual, found a short way out of it:

"Die Wenigen, die was davon erkannt,
Die thöricht g'nug ihr volles Herz nicht wahrten,
Dem Pöbel ihr Gefühl, ihr Schauen offenbarten,
Hat man von je gekreuzigt und verbrannt."

Convulsive struggles, if successful, ended in fierce and irreconcilable factions,—if unsuccessful, in an apathy which was equally fatal to happiness if not to repose. Antiquity closed as it began, in chaos, for that state of society must be a chaos where the moral ties which unite men to each other, are as nothing; and where the central force (the only one left) cannot communicate a single impulse to the extremities. When, therefore, the Arabian prophet sundered with his sword the two

great eras of time,* he intervened between the effete and failing *materialism* (if we may so use a word which has a different and technical sense) of the empire, and the robust but still more barbarous materialism of the feudal age. Politically speaking, the world lost nothing. It was but the act of a bold Bramin, consigning a worn-out Hindoo to the Ganges. But neither did it directly gain any thing. Scarce a century later, Christianity herself was staked upon the issue of a single battle in the valleys of the Loire. Had the Saracens carried the day at Poitiers, they would have overrun Europe. As it was, it took eight centuries to expel a kindred people from Spain, nor is it the least remarkable of coincidences, that they were driven from their last stronghold in that country, in the very year which witnessed the discovery of America. We accept the omen. If the world then gained nothing politically, let it not be blind—let us not, of all others, be blind—to the fact, that aside from the gorgeousness of the Alhambra, and the glories of Oriental romance, we owe to the sciences, which the Moors brought with them to Europe, half the knowledge of that great navigator who first dreamed of our country. The revolutions of the world (a human name for the designs of Providence) are never without a mighty sequel. Who can now see the great northern potentate, already in contact with ourselves,† with his frontier constantly pushed farther and farther into the heart of Asia, and with the keys of the Dardanelles in his grasp, without believing that something more is designed than that a new horde of barbarians shall overturn the world? Would he venture too much who should dare to predict that Russia may, one day, receive an impulse from America, which, enlightening her, shall renovate the East; and that, though late and last, the old mother of science and art shall take back from united Europe and America, still nobler lights than those she gave them?

“Nos primus equis Oriens afflavit anhelis,
Illic sera rubens accendet lumina Vesper.”

This is the true and only clew by which we can be guided towards the future, the belief in an advancing end commensurate with the preceding means. Men have not been, for six thousand years, battling for shadows. Shadowy as they are themselves, were such the case, or did they believe it to be so,

* In the reign of Heraclius, “That prince,” as Mr. Hallam elegantly says: “whose youth was crowned with the last victories over the successors of Artaxerxes, and whose age was clouded by the first calamities of Mahomedan invasion.”—*Hist. Mid. Ages*.

† Russia has a population of 50,000 inhabitants on the Northwest Coast.

human reason would revolt or despair. It is not for us to suppose that we are at the end of the great series of events, and that with our history will terminate the destinies of mankind. We are but a link in the chain,—lying midway between the two eternities. But we have dared to venture farther from the lessons and examples of those who have preceded us, than any other people. We have disdained the influence of others, and we have yet to abide our own upon ourselves. Though we have borrowed little from the past, we owe every thing to the present and the future.

The perpetuity of human institutions is a dream,—it would involve, by necessity, the foregone conclusion of the perfection of human opinions. The great discovery of modern politics, (the division of the legislature into houses,) cannot be traced farther back than Edward III. Sixty years earlier, county representation was unknown. England has not yet discovered a safe method of making that representation uniform. But there can be no more doubt that she will do so, than that we have done it already. We, therefore, care little for forms or systems. To-morrow will be wiser than to-day, and therein lies our hope. The progress is still onward and upward,—sometimes imperceptible, doubtless, and sometimes retarded; but always advancing. The moral every day encroaches upon the material influence. Europe is actually armed *to keep the peace*,—even the family wars, which still distract the Peninsula, are but contests between old and new principles. They do not present a simple question between two combatants for a crown—“*on se lasse enfin de combattre pour des querelles dont le monde rit*”—but between a crown on the one side, and a truth on the other. That is the real question; we have fought such battles ourselves. It is true that much evil attends the breaking up of a political system, but the wind which scatters a sheaf of grain, strews the ground, at the same time, with the seeds of a new and richer crop. Europeans tell us, that if the league, which now binds our own republic together, should be dissolved, which we admit to be very possible, we should fall into anarchy. It is not a contingency upon which we wish to dwell, because we are confident that it would produce serious evils, but we conceive that anarchy would be scarcely possible. We have twenty-four states ready organised for all purposes of internal administration, a people accustomed to self-government, and mutual sources of dependence which only a mad neglect of the most obvious interest could overlook. Our interest united us, and it has proved, thus far, too strong for fear or ambition. It must always bring us together again, not perhaps under circumstances so favourable as the present to our rapid development, but sufficiently so to preserve the essential interests of freedom.

With but a single political element, and that a democratic one, guarded by the state governments, it is hard to see whence *convulsion* is to spring. We can readily perceive a current in our history,—we have said above, that we are in progress, in common, with the rest of the world ; but we cannot discover that opposing obstacle which is to cause it to overflow. M. de Tocqueville has truly said, that there are no parties in the United States. To this very hour, the line between those of 1797 is so little appreciated, that were Hamilton to read the history of the present administration, democratic *par excellence* as it is termed, he might almost term it *ultra* federal. It is so hybridous that the writer before us does not hesitate to say of its chief, that he is, *fédéral par goût et républicain par calcul*. Indeed, what administration of the present century has been otherwise? What the *outs* call power, the *ins* deem prerogative. The elder Adams made a federal war against France,—Mr. Madison a republican one against England. In the mean time, the two parties had changed places and arguments,—the same philippics answered for both. An honourable senator, not at present with those in power, but who was so in 1812, now finds them useful a third time.

It must be, then, in the over-expansion of the popular element that we are to seek the evils that are to overthrow our government. The peril can come from no other quarter. That man, however elevated, who should dare assume the power even to post a soldier at the gate of the palace, would make a suicide of his own greatness. There is a living monument to the memory of miscalculating ambition, within a day's hard riding of the capitol. The people will have no tribunes but of their own choosing. The idea of an aristocracy is absurd. What is to constitute it? Wealth, in a country where property is divided once in thirty years? Political distinction, where the people change their servants almost with every change of the moon? War? Frontier fighting is almost at an end ; and we have no other field of glory. Family? Whose—"Tully's or your own?" Ten men against ten millions would be fearful odds. To us aristocracy is a legend, and nothing more ; it sprang from the mail-clad barons of the dark ages, but no germ of feudality was ever imported hither. It will come to us only with the resumption of iron armour ; but in the mean time the word is of wondrous use in the cant of party politics. The rostrum resounds with it, and we have known it borrowed to tag the sentences of reverend senators. The real aristocrat (we beg pardon of etymology) of America is he who would lord it over the people, not by force of a great name, great possessions, or the strong hand—resources of a by-gone age, but by the meaner, though surer, arts of the tribune—the

misuse of good institutions, the perversion of lawful ends, and all the practices of bad ambition. He is the demagogue whom you may see in the comitia showing his scars, or shouting in the senate-house, *Appellamus ad populum—appellamus ad populum*. He it is who alternately stimulates and restrains the people for his own ends, beginning by gaining their confidence, and ending by betraying it—like Lysander, eking out the lion's hide with the skin of the foe. He prates to them of liberty, by which he means license; and tells them to dictate their will to their servants in office, instead of awaiting the slow process of the constitution. He obstructs their way to the government in order to level the government to them. He counterfeits right to produce wrong, as savages lay green turf over a pitfall. He is the aristocrat of fraud.

If the respect and love of the American people for their government and laws are ever to be destroyed, it will be through such arts as these. Their fidelity will be sapped, not stormed. The reverence and affection which are felt for the authority of the constitution, diminish or increase with the diminution or increase of the dignity and purity of those who administer it. The choice of influences is always with those in power. If they do their duty to honour and conscience, there is no danger of the consequences. Posterity will right those to whom the present is unjust. We trust much to the virtue and mind of our countrymen. They are proof, as they have heretofore shown, against the violence of power—they are now undergoing the more dangerous ordeal of its flattery. Should they survive the test unharmed, the future will be almost cloudless. Should the issue be disastrous they will be the sufferers, but liberty is sure of a resurrection. We have watched the serious portents of commotion in the tumults of the last two years, and at times we have almost apprehended the rush of a wild and universal riot over the country to the overthrow of all true freedom. Yet have those portents left us not altogether without exultation, for they have discovered to us that the love of order is yet predominant, and that the turbulent element has thus far been controlled, if it cannot be extinguished, by the coolness of patriotism, and the severe majesty of the laws. The volcano is yet ribbed in by the snows of *Ætna*—

“Et, quamvis nimio fervens exuberet æstu,
Scit nivibus servare fidem; fumoque fideli
Lambit contiguas innoxia flamma pruinas.”

ART. VIII.—1. *Hernani, ou l'Honneur Castillan*. 2. *Marion de Lorme*. 3. *Angelo, Tyran de Padoue*. Troisième édition. Drame. Par Victor Hugo. Paris, 1835.

Since what the author of the pieces above named has been pleased to call the "*admirable* revolution of 1830," a remarkable change has taken place in the character of the popular literature of France; of that most dependent for its existence upon the varying taste of the populace—novels and dramatic works—particularly the latter. That the political vicissitudes which agitated the nation and the world, from the reign of Louis XIV to the restoration of the Bourbons, were without a corresponding effect produced immediately upon the lighter class of letters is undeniable; though we shall not hold ourselves bound to account for a fact not less singular than certain. Perhaps the chief cause of the phenomenon may be that the minds of men were too much absorbed in the stupendous scenes enacting on the great theatre of life, during that eventful century, to heed the exhibition of the passions or follies of men on a more limited scale. After the return of the exiled sovereigns to the throne, in the state of tranquillity and increased freedom of the press, enjoyed by the French, the influence of the same mutable spirit which had been already at work in every department of social life, began to be felt in literature; but it was not until the reign of Louis Philippe, that the advocates of the liberal system broke forth into unrestrained freedom, and boldly threw off even the pretence of respect for the usages of the old school. The liberty so newly obtained, soon ran into licentiousness. The writers fancied that, in freeing themselves from the yoke of the everlasting unities, they were entitled to dismiss all regard for the decencies of life; and that the proper reverse for the formality and antiquated stiffness of the adherents to the classic system, was the extravagant and mischievous license in which they indulged. Within the last three or four years, the romantic writers, or freethinkers as they might be termed, at the head of whom are Victor Hugo and Alexandre Dumas, have fully established their supremacy over the popular mind. That they have obtained this influence by a degree of extravagance and immorality unparalleled in the preceding history of the drama, and the temporary success of which is an appalling comment upon the state of morals and taste among the people that encourage such productions, may be proved by an examination of their works.

Victor Hugo pays homage to the genius of Shakspeare, by acknowledging that he has reached the utmost perfection of

dramatic art—uniting the grand and the true ; yet the French poet, in his professedly humble imitation, entirely loses sight of his model in the boundless sea of exaggeration into which he launches ; nor shall we pretend to say what portion of sublimity or truth he has retained. Certainly, if in divesting the tragic muse of her stately classic garb, he has given her full license to rove abroad in her night gown and slippers, she employs the liberty he has bestowed in a manner to reflect little credit upon his discretion.

In the preface to *Angelo*, his latest production, our author inculcates the necessity of making the drama a vehicle of instruction. "Be enchanted," he says, "with the drama ; but let the lesson be within, and be discovered whenever we attempt to analyse a creation so vivid, so beautiful, so poetic, so passionate, so magnificently invested in velvet and silk and gold. In the fairest production of art there should be severe thought, as a skeleton within the frame of a beautiful woman." "The drama, as the author of this work would make it, as a man of genius could make it, ought to give to the crowd a philosophy, to ideas a formula, to poetry its muscle and its life-blood, to those who think a disinterested exposition, to thirsty sculs a beverage, to secret wounds a balm, to each a counsel, to all a law."

How is it, meanwhile, that M. Hugo essays, in the spirit of his precept, to blend instruction with amusement, to charm and delight, and lead captive the fancy, while he conveys to the mind an important lesson of practical utility ? How does he offer this secret counsel and law to his fellow-citizens ? Is it by representing a chivalric monarch of *la belle France*, seeking his midnight amusements in the lowest haunts of infamy, deceiving honest credulity, and destroying innocence, as in his drama of *Le Roi s'amuse* ? Is it by painting a being stained with fouler crimes than, we would hope, ever disgraced humanity, at least in one individual, and holding her up to compassion as an object of interest, because she is not destitute of the natural instinct of love for her offspring, as in *Lucrèce Borgia* ? Is it by investing a courtesan with every grace and quality of loveliness, and seeking to enlist our sympathies by depicting her as a martyr, as in *Marion de Lorme* ? Or, is it, as in his last work, so eloquently praised by the French critics, by rewarding the constancy and devotedness of his amiable heroine, by furnishing her with a steed and a lover to run away from her husband ?

"I will, perhaps, endeavour some day," says our author, "to explain in detail what I have wished to do in each of the separate dramas given to the public within the last seven years." When that period shall arrive, the literary world will

doubtless be furnished with M. Hugo's reasons for the exhibition of scenes so disgusting and atrocious, and the choice of plots so hideously at variance with every principle of good taste. We shall then be prepared to admit much in extenuation; but till that explanation, (and for the sake of our dramatist himself, we wish earnestly he would hasten it,) we must be permitted to protest with all our might against the examples hitherto presented, of the new dramatic school over which Victor Hugo presides in France. That our readers may have some opportunity of judging the merits of some of the *master-pieces* of the modern French drama, we shall offer analyses of a few of Victor Hugo's pieces, selecting the least exceptionable, from a pardonable reluctance to admit into our pages aught that would sully them, though sanctioned by the civil authorities in Paris, and lauded by the voice of the "universal nation."

Of *Hernani*, the earliest represented among the author's plays, he says:—"Hernani n'est jusqu'ici que la première pierre d'un édifice qui existe tout construit dans la tête de son auteur, mais dont l'ensemble peut seul donner quelque valeur à ce drame." What are to be the uses of the structure composed of materials such as he has employed, we cannot even conjecture; certain it is, that the edifice casts already a portentous shadow over the plain it was designed to adorn. This piece has been rendered into English, and represented at some of our theatres; being unable, however, to obtain the published translation, we shall offer all the extracts in our examination of it, in a version of our own. The scene is at Saragossa; the design is to exhibit the stern inflexibility of Castilian honour. Donna Sol, the heroine, is beloved by a chieftain of banditti, but betrothed to her uncle, Don Ruy Gomez de Silva. She has yet a third lover, who is no other than Don Carlos, King of Spain, afterwards chosen emperor at Aix-la-Chapelle. The scene opens in her chamber, where her duenna waits to receive Hernani; Don Carlos unexpectedly arrives, and compels her to conceal him in a closet, whence he bursts upon the unsuspecting lovers in the midst of their interview. Before, however, their respective claims to the lady's favour can be decided by the sword, the uncle enters, with servants, and demands the meaning of the fray. Don Carlos discovers his rank, and shields Hernani from the wrath of the old man; while the bandit, after giving vent in a prodigious soliloquy to his indignation and thirst for revenge, departs to make preparations for carrying off the fair Sol on the succeeding night. In this enterprise he is no more successful; the indefatigable king, who has overheard the appointment, reaches first the spot

of rendezvous, and making the signal agreed upon between the lovers, gets the lady into his power.

" *Carlos.* Donna Sol—

Donna Sol. 'Tis not his voice!—me wretched—

Carlos. Ah, what voice

Wouldst hear could be more loving? It is still
A lover—'tis a lover king.

Donna Sol. The king!

Carlos. Who wishes—who commands. A kingdom waits
On thee—for he whose chain thou fain wouldst break,
The king thy sovereign is—is Charles thy slave!

Donna Sol. Help, help—Hernani!

Carlos. Just alarm, indeed.

'Tis not thy bandit holds thee—'tis the king!

Donna Sol. 'Tis thou who art the robber;—fie upon thee!
For thee the crimson shame doth dye my cheek.
Are these the deeds a king should boast? To seize
At night, by force, a woman! Nobler far
The scorned Hernani! King! I say to thee,
If birthright were the soul's—if heart alone
Distinguished 'twixt the brigand and the prince,
Thine should the poniard be—the sceptre his!"

Hernani comes to her aid, and compels the king to retire; he departs threatening vengeance, and the lady implores her lover to fly, offering herself to be the companion of his flight.

" *Hernani.* Together? no—the hour for that is past:
Sweet friend, when first thy beauty to mine eyes
Thou didst reveal, didst bless me with a love
Angelic,—I could offer,—I, sad wretch,
My mountains, woods, and streams, and—thy pure pity
Emboldening me—the bread of one proscribed,
The green and mossy bed the forest yields;
But half the scaffold? Pardon, Donna Sol,
The scaffold—it is mine alone! .

Donna Sol. Yet all
You promised me!

Hernani. Angel! e'en in this moment,
When death perhaps is nigh—when in its gloom
Comes of my mournful destiny the end,
I here proclaim—proscribed, and bearing ever
Devouring care—nursed in a bloody cradle,
How black so e'er the grief that thrills my being—
Myself most happy! Envy I deserve—
For you have loved me! you have told me thus!
Have stooped to bless a brow by men accursed!

Donna Sol. Let me then follow thee!

Hernani. Ah, 'twere a crime
To snatch the flower as down the abyss we fall!
Go! I have breathed its perfume! 'Tis enough!
Renew for other life thy days by me
So crushed! Wed this old man! It is Hernani
Releases thee! Into my native night
I sink; for thee—be happy—and forget!"

The alarm bell sounds—and the sudden terror of the maiden, and the reckless apathy of her lover, are well depicted.

Donna Sol. [rising.] The tocsin!
Hear'st thou! the tocsin!

Hernani. Ha! it is our bridal
It sounds.

Donna Sol. Up—up, and fly! Great God—the city
Is lighted! Hence!

Hernani. The torches for our nuptials!

Donna Sol. 'Tis the death-bridal—nuptials for the tomb!"

He escapes; and in despair of seeing him again, the unhappy girl at length consents to espouse her uncle. The scene of the third act is in the banqueting hall, where Donna Sol, magnificently habited, comes to give away her hand to one she can never love. A page informs the host that a wandering pilgrim implores admission to partake his hospitality, and Hernani is introduced, in the disguise of a mendicant, who, beholding what he imagines the proof of his lady's falsehood, instantly proclaims himself the robber, and calls upon the servants to win by his arrest the price offered for his head. Don Ruy Gomez, anxious only to preserve the life of his guest, and distrusting the cupidity of his servants, goes out to close the doors and arm his household, and in the brief moments of his absence, Hernani learns from Donna Sol the secret of her still cherished affection for him. The Duke de Silva discovers on his return that the bandit is his rival; in the midst of his reproaches, the sound of trumpets is heard without; a page announces that the king demands admittance, and requires to know why the gates are closed. Silva goes to his portrait, which hangs in the hall with those of his ancestors, and pressing a spring, discloses a hiding place in the wall, where he commands Hernani to secrete himself. This is hardly done when the king enters with his armed train; but though Don Carlos has traced the outlaw to the palace of Silva, and knows him to be concealed within it, his commands and menaces cannot compel the heroic Castilian to surrender his guest to the royal indignation. In vain the monarch threatens to raze his ancient castle to the ground; to take his head in lieu of that of the proscribed chieftain; Silva points to the portraits of his ancestors, and asks if the descendant of a line so illustrious shall be branded as the betrayer of his guest? Don Carlos then seizes Donna Sol; the old noble pathetically implores him to spare his niece; but though in the extremity of grief, his resolution wavers not for a moment. The lady is carried off as a hostage; when the king and his attendants have retired, Don Ruy Gomez releases his prisoner, and bids him prepare for mortal combat. Hernani has heard nothing

in the place of his concealment, but being informed of the fate of Donna Sol, prays the old man to give him life and liberty to assist in her recovery. When that shall be accomplished, he swears "by the head of his father" to return and surrender his life as forfeited to his rival. The horn which he takes from his girdle and presents to Silva, is to be the signal of his death.

"*Hernani*. Hear; take this horn. Whate'er from this may chance,
Whene'er thou wilt, whatever be the place,
The hour,—if in thy heart thou wilt my death,
Come—sound this horn, and take no further heed;
It shall be done."

Hernani, and Don Ruy Gomez, with other conspirators, meet to plot the overthrow of the King of Spain, in a vault of Aix-la-Chapelle; and here occurs one of those striking dramatic situations in which Victor Hugo is often so successful. The election for the Emperor of Germany is about taking place; the choice to be announced by the firing of cannon;—if the Duke of Saxony is elected, by one report; if the King of France, by two; and three, if the King of Spain. Don Carlos, aware of every movement of the conspirators, and provided with the means of arresting them, is concealed in the tomb of Charlemagne, within the vault; at the moment they solemnly swear his destruction, a distant report of cannon is heard; the door of the tomb opens a little, and Don Carlos, listening eagerly, appears upon the threshold. A second report—a third!—he suddenly throws open the door, and discovers himself, but without advancing.

"*Carlos*. Gentles—stand further off;—the EMPEROR hears you!"

The conspirators, in sudden alarm, extinguish their torches; the king advances; strikes the iron key upon the bronze door of the tomb, and the vault is instantaneously filled with armed soldiers, who seize the discovered traitors. The grandes of Spain separate themselves from the common herd of the conspirators, who are beneath imperial vengeance; but Hernani, scorning to avail himself of the ignorance of all around of his claims to the distinction of punishment, announces his real name, as John of Arragon, with a list of titles that might alarm the ears of any new-made emperor. Donna Sol, however, who has been brought in by way of a *coup-de-théâtre*, throws herself at the monarch's feet; her lover is pardoned, and receives her as his bride; and here all parties might have been happily disposed of, but for a tragic afterplot, destined to mar all previous good fortune. On the evening of their bridal, Hernani and Donna Sol quit the scene of festivity, to wander alone among the gardens of the palace. They are followed at

a distance by a solitary mask, and gradually leave the revellers behind them.

Donna Sol. Those voices weary me. Is 't not, dear lord,
That this loud joy stuns happiness?

Hernani. 'Tis true.

Pure happiness is grave—it asks firm hearts,
Where slowly 'tis impressed. Pleasure affrights,
Flinging her flowers before it; and its smile
Is aye less nigh to laughter than to tears.

Donna Sol. In your eyes, this smile is the day.—But now!

Hernani. I am thy slave. Yes—stay; do what thou wilt;
I nothing ask. And know'st thou what thou do'st!
Thou do'st all well. If thou wilt, I will laugh,
So it may please thee. Burns my heart! Ah, bid
The fierce volcano hide its flames: 't will close
Its yawning gulf—and on its sides shall bloom
Flowers and green leaves alone!

Donna Sol. Oh, full of goodness,
Mine own Hernani!

Hernani. Ha! what name is that?
Call me no more, in pity, by that name!
It doth recall what I had all forgot!
I know there lived in time past, in a dream,
One named Hernani, in whose eyes did flash
The falchion's gleam, a man of night and of
The mountains—one proscribed—on whom the word
'Vengeance,' was written every where; a wretch,
Dragging a curse behind him! I know not
This man. For me—I love the sports—the feast.—
I am a Spanish noble—John of Arragon!
Husband of Donna Sol—and happy!

Donna Sol. Happy!

Hernani. What now to me the rags which at my entrance
I flung beside the door? Lo! I return
In sorrow to my palace, and an angel,
An angel waits to greet me at the threshold!
I enter, and the broken columns raise;
Relight the fires—the casements open wide;
Tear up the weeds grown in the paved court.
Nought waits me more but joy, enchantment, love!
My towers, my vassals, dungeons, they restore—
My plume—my seat in proud Castilia's council:
Then comes my bride—with blush and downcast eyes—
Oh, leave us thus, and pass the rest! I've seen
Nothing—nought said—nought done. Anew begun,
I blot out all—forget! Wisdom or madness,
I have thee—I adore thee—thou my all!"

Donna Sol. Look out! a lovely night! But for a moment!
It is a time alone to breathe and look!
All is extinct—flambeaux and festal music;
All—save the night and us! Oh, perfect bliss!
Believ'st it not? O'er us, while all are sleeping,
Doth nature, loving, watch! There's not a cloud
In the blue heaven! all is repose, like ours!

Come, breathe with me the air, embalmed in odours
Of roses. Look—more fires—more sounds:—now all
Again is mute. The silent moon above
The horizon's bound, e'en while thou spok'st, ascends!
Her quivering light, thy voice—both steal together
Into my heart. Joyous and calm, my love,
I could this instant die!

Hernani. Who would not all
Forget in listening to that seraph voice!
Thy words are melody where nought of earth
Remains.

Donna Sol. This silence is too dark—this calm
Too deep. Say—wouldst thou not behold a star
In yon deep vault! or hear a voice of night
Tender, delicious, rising suddenly,
Utter its song?

Hernani. Capricious! that forsook
But now the light and song!

Donna Sol. That was the dance!
But a bird, warbling in the lonely fields!
A nightingale, lost in the shadowy foliage!
Or sound of far-off flute! For music soft
Attunes the soul, and like a choir divine,
A thousand voices wakes within the heart,
That ever sing!—Such would be bliss! [A distant horn heard.
Bright chance!

My wish is granted."

Hernani listens gloomily; it is the summons of his enemy, reminding him of his fatal oath. The mask, who is discovered to be Don Ruy Gomez, then appears upon the scene, calling upon the bridegroom to redeem his promise, by surrendering his life; the entreaties and despair of Donna Sol cause the victim to waver for an instant, but his resolution revives at the old man's taunts; he drinks the poison prepared for him, and his example is followed by his lady; after which they deliberately sit down to die; while the uncle, relenting too late, exclaims "*Je suis damné!*" and concludes the piece by killing himself.

The cold-blooded atrocity of this catastrophe redeems the play from the praise it would have otherwise merited, of being the only drama Victor Hugo has produced, with any pretensions to good taste; as it is, it is only the starting point in a race in which every succeeding step is a stride. Nor can we perceive the consistency of the principle displayed. The Spanish noble risks his own life to shield his guest from danger, conspires afterwards against his king, then follows his former guest in disguise to claim the fulfilment of a promise extorted from him while yet in his power. Hernani, sacrificing his life to his enemy, and leaving his bride unprotected, because he had sworn to commit suicide "by the head of his father," we cannot but imagine a point somewhat overstrained. There is

also much inconsistency in the characters exhibited: Don Carlos, who at first appears to our view a gay, rash, and gallant cavalier, intent only on the pursuit of his own pleasure, suddenly emerges, in the fourth act, a generous and high-minded monarch, wedded to ambition, yet filled with a lofty sense of the responsibilities of his station. His love for Donna Sol has evaporated as completely as speedily, and he bestows her upon his rival with an unconcern for which we are by no means prepared in the preceding scenes. His language at the tomb of Charlemagne, is not such as we had previously expected:—yet much of it is fine, particularly such passages as the following:—

“The people! Ocean that doth ceaseless move,
Where aught you cast in agitates the whole,
A wave that thrones o’ersweeps—and cradles tombs—
A mirror where the monarch rarely sees
His image beautiful! Alas! if in
This gulf of gloom we look, we may behold
In its deep bosom empires numberless,
Vast shipwrecks, o’er which, in its ebb and flow,
The mighty, vexed tide rolls—and knows them not!”

The melancholy, lofty yet tender, which distinguishes the old Castilian in the first part of the piece, is hardly reconcilable with the relentless cruelty he afterwards exhibits. By far the best portion of the play is the opening scene of the third act, in the interview between him and Donna Sol, who is soon to be his bride. There is a purity and tenderness in his affection for her, that may well excuse his jealousy; and the expression of which has seldom been surpassed. We give a part of this scene, where Silva pleads his age as an apology for suspicion and querulousness.

“Mais que veux-tu, ma pauvre enfant, quand on est vieux?”

“*Don Ruy Gomez.* Listen! He is not master of himself, .
Who loves like me, is old like me. And men
Are jealous, cruel. Wherefore?—They are old.
All grace and youth in others, doth alarm them.
Of others jealous, of themselves ashamed.
Derision! that this crippled love, which fills
Our hearts anew with energy and fire,
Forgets the body, making young the soul!
When passes some young shepherd—Oh, how oft,
While we go forth, he idly singing—I
Dreaming—he in his meadows green—in halls
Of gloomy grandeur I—how oft I feel
Most gladly would I give my crumbling towers,
My ducal turrets, fields and forests green,
And the vast flocks that crop my hills—would give
Mine ancient name, mine ancient name—and all
My ruins—and the sires I soon must meet,

For his new cottage and his youthful brow!
 His locks are raven; and his eye doth beam
 With lustre like thine own. Him thou call'st young;
 And think'st meanwhile that I am old. I know it!
 I bear the name of Silva; yet not now
 Is that sufficient. See—how much I love!
 All—to be young and beauteous like thyself!
 What dream of dotage this? I, young and beauteous!
 Who must so far outstrip thee towards the tomb!

Donna Sol. Who knows?

Don Ruy Gomez. Yet, yet, believe me—cavaliers
 So frivolous, bear love that wastes away
 In words. One of them doth a maiden love,
 And trust—she dies—he laughs. All these young birds
 With rapid wing of brilliant hues, with voice
 Melodious, languishing,—have love that fades
 With their bright plumage. But the old, when age
 Their tints has withered, and their music stilled,
 Have wings more faithful, and less beautiful,
 Are better. We love well. Are our steps slow?
 Our eyes of rich light barren? Are our brows
 Wrinkled? There are no wrinkles in the heart!"

• • • • •
 "To watch thee all my days—thy graceful step,
 Pure brow—the sweet fire of thy gentle eye—
 I smile—an endless feast is in my soul!

Donna Sol. Alas!

Don Ruy Gomez. And then—the world is aye well pleased,
 When man decays, and hour by hour sinks down,
 And falls into the marble of the tomb,
 Woman, as angel pure—in innocence
 A dove, should watch above, and shelter him,
 Should deign the useless old man to endure,
 Good for nought but to die. It is a work
 Sacred—one which they well may praise—this last
 Endeavour of a pure devoted heart,
 Which to the closing scene the dying man
 Consoles—and without love perchance, doth yet
 Preserve love's semblance. Ah! and thou shalt be
 To me this angel, woman in thy heart,
 Filling with joy the old man's soul, and bearing
 Half his declining years—a duteous daughter
 In thy respect—a sister in thy pity.

Donna Sol. Far from preceding, you may follow me,
 My lord. It is no reason we should live,
 That we are young. Alas! I tell you, oft
 The old are slow, the young outspeed their steps:
 Their eyelids roughly close—even as the storm
 Falls o'er the open sepulchre."

We will leave our readers to comment upon the progress of art and literature, in France, since the "Three Days, when they hear M. Hugo's declaration that, under the elder branch of the Bourbons, *Marion de Lorme* would have been, absolutely and for ever, banished from the theatre. He adds, in no little

triumph of its success, in his regenerated country, "Si cet ouvrage avait une plus haute valeur, on pourrait soumettre cette observation aux personnes qui affirment que la révolution de juillet a été nuisible à l'art." The point may admit of question, nevertheless; but *n'importe*, we proceed. This piece was written before *Hernani*, though represented eighteen months after. The heroine is a historical personage, of infamous celebrity, who, wearied of her numerous admirers at court, has followed into retirement a young man, named Didier, of whom she is enamoured, and who, believing her to be a young and unsophisticated country girl, loves her in return. During one of their interviews, at evening, the Marquis de Saverny, who has just parted from Marion, is attacked by assassins, in the street, from whom he is rescued by Didier. The latter conducts him back to the apartments of Marion, but is presently disgusted at his familiarity towards her, and dismisses him with a resolution of vengeance. A royal edict is soon after promulgated, sentencing to death all parties engaged in any duel. Didier meets Saverny, challenges him, and in the face of the proclamation, they fight. Marion, alarmed at the clash of swords, and ignorant of the danger to which she exposes her betrothed, calls the guard, who arrests Didier, while Saverny, profiting by the exclamation of Brichanteau, "*fais le mort, ou tu l'es !*" escapes by pretending to be dead. Disguised as an officer of the regiment of Anjou, he attends the preparations made for his own funeral at the castle of his uncle, the Marquis de Nangis, and even follows the coffin. Didier, meanwhile, escapes from prison, and appears, accompanied by Marion, in a company of strolling players. Here Saverny, by means of a portrait of Marion which he shows to Didier and the courtiers, discovers to the young man the identity of his beloved Marie with the famous courtesan. Disgusted with life, the lover betrays himself to Laffemas, one of the creatures of Cardinal Richelieu, and is in consequence immediately arrested; while he rejects, with scorn, the sympathy of the deceitful Marion. In the hope of obtaining the release of his adversary, the generous Saverny declares his real name; but only finds himself involved in the danger; and occasion is given for another of the pointed speeches in which our author abounds, conveying the certainty of the gallant courtier's fate, when a valet enters to inform the old marquis that the preparations are made for the funeral of his nephew.

UN VALET (*entrant*).

"De monseigneur Gaspard les obsèques sont prêtes,
Pour la cérémonie on vient de votre voix
Savoir l'heure et le jour.

LAFFEMAS. *Revenez dans un mois.*"

Louis XIII is petitioned in turn, by the marquis and Marion, for the pardon of the combatants ; and, though deaf to their supplications, yields to the importunity of his jester, who informs him that the condemned are two capital falconers. Marion hastens to the prison with the pardon, written by the king's own hand, but finds herself forestalled by Laffemas, who bears a parchment signed by the cardinal, revoking the order of mercy. The relative degree of respect paid to the two documents is strikingly shown in a brief dialogue.

“ Marion (montrant un parchemin au guichetier). Ordre du roi.

Le Guichetier. Madame, on n'entre pas.

Marion. Comment ?

Laffemas (présentant un papier au guichetier). Signé du cardinal.

Le Guichetier. Entrez.”—Act V. Scene II.

The jailer, bribed by the Marquis de Nangis, offers Saverny his liberty ; but the youth, with rather scrupulous generosity, refuses to be saved alone ; and both cannot be set free. The indefatigable Marion, meanwhile, by means we do not care to mention, procures permission for Didier's escape ; but he refuses to avail himself of such a sacrifice, and prepares for execution with his companion. The sentence to the gibbet is commuted to that of beheading ; a change which excites as much joy in the volatile Saverny, as a reprieve would have done. The fatal hour sounds ; Didier, who had hitherto spurned the wretched Marion, relents, at last, and bids her an affectionate adieu. Saverny, who had fallen into a comfortable sleep, is aroused by the guards, with another expressive and epigrammatic remark :

“ Saverny (se frottant les yeux). Ah ! comment ont-ils pu m'ôter mon bon sommeil ?

Didier. Il n'est qu'interrompu.”

- They are conducted forth ; the cardinal crosses the stage in a red litter ; the despairing Marion beseeches him for pardon, but in vain ; the people rush back from the place of execution, and conscious that all hope is over, the wretched girl, in the words of the author, *“ tombe sur le paré.”*

The best part in this piece is undoubtedly that of Saverny ; a character cleverly drawn, and in relief from the rest. Gay, good-humoured, and generous, but reckless and indiscreet, he appears the same from first to last. In the prison, for example, while Didier is railing at his destiny, the light-hearted courtier observes that a swallow is flying low,—a sign of approaching rain. In spite of the grossness and exaggeration of the plot, there is much in the play that is spirited and amusing, with this peculiarity, that the inferior, or second-rate personages only are tolerable ; the hero being uninteresting, and the

heroine disgusting, notwithstanding the elaborate attempts of the author to invest her with interest. There is less of poetical imagery in the dialogue than in *Hernani*; though the diction is elevated and the versification harmonious. The strong affection of Didier for his *Marie*, before he discovered her real name, is often well expressed. Thus in their interview in the first act.

Didier. You love me? Take you heed, for words like those
Should ne'er be lightly uttered. You do love me?
Know you what this love is? this which becomes
Our blood, our light of life,—which, stifled long,
Burns on, and on, with flame that ever groweth,
That purifies the soul,—in the heart's depths
Alone, where we do hoard it, that consumes
The vain wrecks of all other passions! This,
Hopeless and boundless, which e'en happiness
Survives,—deep, mournful! Say, is such the love
Of which you speak?

Marion. . . . Indeed . . .

Didier. Oh, you know not
How thus I love you! From the day when first
I saw you, life, still joyless, did assume
A tint of gold; your glances lit the gloom.
Since, all is changed. To my adoring eyes
You shine, a being of celestial nature.
This world, where long has groaned my rebel heart,
Appears in light which doth invest the whole
With beauty:—until now, lone, homeless, stricken,
I've mourned,—have suffered,—but have never loved."

It is in a different spirit that Didier apostrophises the fair one, when the knowledge of her guilt has taken from him the wish for life :

Didier. Woman! inconstant,—bitter,
Deep,—stormy,—like the waters of the sea!
Ah, to this sea, my helpless bark I gave,
While, in my firmament, a single star
But shone for me. The fickle wave I tempted,—
Was wrecked,—approach the tomb!"

The author of this drama has erred in the outset, by supposing that the exhibition of intense feeling could compensate for the entire absence of moral beauty in his creations. In a few scenes we discern glimpses, though but occasional, of the pathos and power of the author of "*Notre Dame*," but these are buried in the exaggerated sentiment, and extravagance of the plot. His succeeding pieces we shall pass without notice, for reasons that will be most obvious to all the readers of *Marie Tudor* and *Lucrece Borgia*; and only observe that the faults we have pointed out in the preceding plays, exist in these to a greater extent, added to the most outrageous violations of the

history, and even the manners of the countries where the scene is laid. We come to the last dramatic production of this eminent writer, which has excited much attention in Paris, and the third edition of which reached us, in a superb dress, to correspond with the other works of the author. That *Angelo* has been elaborated with care, and is a favourite with M. Hugo, is evident from the preface, where he states his design somewhat in detail. According to his own words, he has endeavoured here—

“To present, in an action resulting entirely from the heart, two grave and serious personages,—woman in society, and woman out of society: that is, in two living types; all women,—all the woman. To exhibit these two female, who sum all in themselves, often generous, always unhappy. To defend one against tyranny, the other against contempt. To show in what trials is sustained the virtue of the one, and by what tears is washed away the stain of the other. To attribute the fault to whom it is due, that is to man, who is strong, and to social custom, which is absurd. To vanquish in these chosen hearts the resentments of the woman by the piety of the daughter, love by filial affection, hatred by devotion, passion by duty. Beside such women, to place two men: the husband and the lover, the sovereign and the proscribed, and to comprehend in them, by a thousand secondary developments, all the relations, regular and irregular, which man can sustain with woman on one side, and with society on the other. Below this group, that enjoy, possess, and suffer, sometimes bright, sometimes gloomy, not to forget the *envious*,—that fatal witness, always present, which Providence places below all societies, all governments, all prosperities, all human passions; the eternal enemy of aught that is elevated, changing forms in different times and places, but at the bottom always the same; the spy at Venice, the eunuch at Constantinople, the *pamphlétaire* at Paris. To assign a place, as doth Providence, in the shade, to this unhappy, intelligent, lost being, who can only injure, gnashing his teeth at all smiles, for every door closed to his affections is open to his vengeance. In fine, above these three men, these two women, to place as a tie, as a symbol, as an intercessor, as a counsellor, *God dying upon the cross*. To fix this human suffering *au revers du crucifix*.”

This, in our opinion, savours of blasphemy; but let us proceed.

“To make a drama, not altogether royal, lest the possibility of application should disappear in the grandeur of the proportions; not altogether *bourgeois*, lest the meanness of the personages should injure the greatness of the idea; but dignified and domestic; dignified, for the drama must be grand; domestic, because it must be true. To blend in the work, to satisfy that craving of the spirit which would feel the past in the present and the present in the past, with the eternal, human, and social element, a historical element. To paint, in consistency with the idea, not only man and woman, not only those two women, those three men, but a whole age, a whole climate, a whole civilisation, a whole people. To erect upon this foundation of thought, after the special gifts of history, a story so simple and true, so living, so breathing, so real, that to the eyes of the crowd it may hide the idea itself, as the flesh hides the bones.” “Such is what the author of this drama has attempted to do.”

Now, whether it be that our eyes are among those of the crowd, to whom this mystery is intended to be a thing unrevealed, as too refined for their gross conceptions, we know not; but it is certain that no flesh ever concealed the bones on the frame of any relative of Daniel Lambert more effectually than the story and the accompaniments of this piece veil the under-structure of thought, morality, and religion, which M. Hugo claims for his present production. We shall not waste time or space in endeavouring to prove his failure, in this respect, by an analysis of the characters, a failure that will be palpably apparent to every reader; it remains to show, by a brief abstract of the story, what he has made of the men and women alluded to, who are each destined to comprehend so large a portion of their species in their own persons. Of his two heroines, one, "*La Tisbe*," she, we presume, who is to represent "all the woman," is an actress; the favourite mistress of Angelo Malipieri, the podesta, but deeply enamoured of Rodolph, alias Ezzelino, who passes for her brother with the tyrant, and who in his turn loves Catharina, the wife of Angelo, whom he had seen, for the first time, at a church in Venice, some seven years ago, and had sought all over Italy. The portion of the early history of Thisbe, which constitutes the foundation of the tale, is related in her opening dialogue with Angelo. She was the daughter of

"A poor widow, who sang songs in the public places at Brescia. I went with her. The people threw us money; it was thus I began. My mother's place, habitually, was at the foot of the statue of Gatta Melata. One day it appeared that in the verses she sang, without comprehending them, there were some lines offensive to the signory of Venice, which excited the mirth of the followers of an ambassador that stood around us. A senator passed; he looked, listened, and said to the grand captain that followed him, 'To the gallows with this woman!' In the state of Venice, that is soon done. My mother was seized on the spot. She said nothing; of what use was it? embraced me, while a big tear dropped on my forehead, took her crucifix, and suffered herself to be bound. I see it yet,—that crucifix! It was of polished copper; my name, Thisbe, was rudely carved at the bottom, with the point of a stiletto. I was then sixteen years of age: I saw the guards bind my mother, without being able to speak, to cry, or weep; motionless, cold, stunned, as in a dream. The crowd also was silent. But there was with the senator, a young girl, whom he held by the hand, doubtless his daughter, who became suddenly agitated. A beautiful young girl, my lord. Poor child! she cast herself at the senator's feet, and wept so much, with tears so beseeching, and with eyes so lovely, that she obtained my mother's pardon. Yes, my lord. When my mother was released, she took her crucifix—my mother—and gave it to the beautiful child, with these words: 'Madame, keep this crucifix; it will bring you good.' Since that time, my mother is dead,—sainted woman! for me, I have become rich, and I would find this child, this angel, who saved her. Who knows! she is a woman now, and consequently unhappy. She

has need of me, perhaps, in her turn. To him who shall find the woman I seek I will give ten thousand sequins of gold.

Angelo. Ten thousand sequins of gold! but what will you give to the woman herself, when you find her?

Thisbe. My life! if she will.

Angelo. But how will you recognise her?

Thisbe. By my mother's crucifix."

We shall not question the historic probability of this romantic story, knowing the secrecy ever preserved by the Venetian government, in the arrest and punishment of their victims; it is sufficiently *vraisemblant* for the purposes of the drama. In the mean time, the personage indicated as an abstraction of envy, whom Victor Hugo, in imitation of *Providence*, places in his Eden to blight its joys, Homodei, a spy of the Council of Ten, who has slept, or pretended to sleep, through the first three scenes, awakes in the fourth to give Rodolph a minute relation of the events of his (Rodolph's) life, not forgetting the affair of the unknown lady, all which knowledge he had obtained by some inscrutable means, not explained to the reader. The young man very naturally expresses surprise at finding so many of his secrets in the possession of another; but is comforted by the assurance that his mysterious companion will help him to a sight of the fair lady whom he has so long despaired of finding. A place of rendezvous is appointed for the next night; Rodolph leaves him, and Homodei meets Thisbe, excites her jealousy of her lover, and offers to conduct her where she can have ocular demonstration of his perfidy. For this purpose, she is to obtain from Angelo the key of a private passage in his house. The evening comes; Rodolph is led by his false friend to the presence of Catharina; afterwards, Thisbe is introduced; in their terror at the sound of footsteps approaching, the lover has nothing left to do but retreat into the lady's oratory, whence there is no other means of egress, than through the apartment he quits. Thisbe enters, charges her terrified rival with the fact that a man is concealed in her chamber, loads her with reproaches and menaces, and calls upon her husband. Just as Catharina, in an agony of fear, flies to her crucifix to pray for protection, it arrests Thisbe's attention, and she makes the discovery that her hated rival is no other than the young girl who had once saved her mother's life. A complete revolution hereby takes place in her feelings; and when Angelo arrives, she averts his suspicions from his wife, by informing him that she had visited the palace at that late hour, to warn him of a projected attempt upon his life, on the following day. The guilt of Catharina is however revealed to her husband the next day through Homodei, by means of an intercepted letter, and she is condemned to

death by her lord, who informs Thisbe that he had always hated her, from a necessity that a Malipieri must have some one to hate.

"On the day when the lion of St. Mark shall fly from his column, shall hate spread his wings of bronze, and fly from the heart of a Malipieri. My grandfather hated the Marquis Azzo, and drowned him at night in the wells of Venice. My father hated the Procurator Badoëz, and poisoned him at a banquet of the Queen Cornaro. For me, it is this woman whom I hate. * * The pardon of this woman! the bones of my mother might implore it, madame, but they would never obtain it!

Thisbe. Is it that the most serene signory of Venice permits you—

Angelo. To pardon nothing—to punish all.

Thisbe. But the family Bragadini—your wife's family—

Angelo. They will thank me.

Thisbe. Your resolution is taken, you say. She will die. It is well: I approve. But since all is yet secret, since no name has been yet pronounced, could you not spare her a punishment, your palace a stain of blood, yourself the public comment and noise! The headsman is a witness. A witness is too much.

Angelo. Yes: poison will do better. But we must have a rapid poison—and believe me, I have none here.

Thisbe. I have it.

Angelo. Where?

Thisbe. At my house.

Angelo. What poison?

Thisbe. The poison Malaspina. You know, the liquor sent me by the Dean of St. Mark."

For the prompt and deadly poison, the actress substituted a sleeping potion; Catharina is conveyed *à la Juliet*, under pretence of burial, to a place of security, where horses are provided by the generous Thisbe, to carry the lovers from the state of Venice. In the mean time, Rodolph arrives, and believing Thisbe to have murdered his *innamorata*, after a prolonged dialogue stabs her; a moment after, the other lady awakes from her trance; he enquires by whom she has been saved, and receives from her dying rival the brief answer,

"Par moi—pour toi!"

This exclamation, according to "*la loi d'optique*" of the theatre, ought to have terminated the piece; but the victim survives long enough to inform them of the disinterested preparations she has made for their departure, and to dismiss them with her blessing. What becomes of the tyrant, does not appear.

We will not detain the reader by offering any further extracts from this play, nor should we have entered into so detailed an account of this and other dramas of the author, but for the wish to afford an opportunity of judging his pieces with regard to their general tendency, and to exhibit a glimpse of the present state of the drama in France. "*Angelo*" is cer-

tainly less revolting and harrowing in its details, than some of its predecessors; but the picture has not lost its moral deformity; some of the features only are less coarse and disgusting. It is written in prose, and we believe makes no pretensions to poetic beauty of any kind. Certainly none is apparent. The popularity of these plays of Victor Hugo, and of those of M. Dumas, his coadjutor in the sublime work of renovating their native literature, which far exceed in atrocity those we have mentioned, may seem incredible to those uninformed of the actual degree of corruption in the public taste which exists in "the great nation." Such may readily be convinced, however, by fair examination, that we have not spent our time in railing at the immoralities and absurdities of authors justly condemned at home, or too insignificant to excite apprehension for their influence; but that the productions we have been compelled to denounce, are those of two writers *at the head* of those departments of literature in which they are labouring; whose steps are closely followed by a multitude of imitators, who emulate their vices in striving to share their success. Of the influence on the national morals of works so grossly offensive to decency and correct taste, we shall not speak; but only hope that if popular feeling continues to sanction exhibitions of a similar character, the government of France may ere long interfere to put a stop to them. We also congratulate ourselves that so little of the poison has been communicated to the stage in this country; not without fear, however, for the future effect of such pernicious example. Not that there is danger to the intellectual portion of the community; the dramas deserving reprehension on the grounds we have noticed, are wholly unredeemed by any truth, natural or historical, poetry, or even interest; they possess nothing to recommend them to the reader, who can appreciate such excellences; but there exists in all countries, in the multitude, a vitiated taste which seeks gratification. How degraded is genius, when it stoops to minister to it!

We may perhaps take occasion, at some future time, to do justice to the merits of Victor Hugo as a poet—to the talents displayed in some of his exquisite lyric effusions. At present, we must take leave of him, with sincere regret that powers so varied and eminent as are indisputably his—the ability to impress the imagination and the heart—should be appropriated to so unworthy a purpose. *

ART. IX.—*The Essays of Elia*. By CHARLES LAMB, Esq.
New York: George Dearborn. 1835.

In adding our tribute to the memory of Lamb, we are conscious of personal associations of peculiar and touching interest. We recall the many listless hours he has beguiled; and the very remembrance of happy moments, induced by his quiet humour, and pleasing reveries, inspired by his quaint descriptions and inimitable pathos, is refreshing to our minds. It is difficult to realise that these feelings have reference to an individual whose countenance we never beheld, and the tones of whose voice never fell upon our ear. Frequent and noted instances there are, in the annals of literature, of attempts, on the part of authors, to introduce themselves to the intimate acquaintance of their readers. In portraying their own characters in those of their heroes, in imparting the history of their lives in the form of an epic poem, a popular novel, or through the more direct medium of a professed autobiography, writers have aimed at a striking presentation of themselves. The success of such attempts is, in general, very limited. Like letters of introduction, they, indeed, prove passports to the acquaintance, but not necessarily to the friendship of those to whom they are addressed. At best, they ordinarily afford us an insight into the mind of the *author*, but seldom render us familiar and at home with the *man*. Charles Lamb, on the contrary,—if our own experience does not deceive us—has brought himself singularly near those who have once heartily entered into the spirit of his lucubrations. We seem to know his history, as if it were that of our brother, or earliest friend. The sadness of his “objectless holidays,”—the beautiful fidelity of his first love, the monotony of his long clerkship, and the strange feeling of leisure succeeding its renunciation, the excitement of his “first play,” the zest of his reading, the musings of his daily walk, and the quietude of his fireside, appear like visions of actual memory. His image, now bent over a huge leger, in a dusky counting-house, and now threading the thoroughfares of London, with an air of abstraction, from which nothing recalls him but the outstretched hand of a little sweep, an inviting row of worm-eaten volumes upon an old book stall, or the gaunt figure of a venerable beggar; and the same form sauntering through the groves about Oxford in the vacation solitude, or seated in a little back study, intent upon an antiquated folio, appear like actual reminiscences rather than pictures of the fancy. The face of his old schoolmaster is as some familiar physiognomy; and we seem to have

known Bridget Elia from infancy, and to have loved her, too, notwithstanding her one "ugly habit of reading in company." Indeed we can compare our associations of Charles Lamb only to those which would naturally attach to an intimate neighbour with whom we had, for years, cultivated habits of delightful intercourse,—stepping over his threshold, to hold sweet commune, whenever weariness was upon our spirits and we desired cheering and amiable companionship. And when death actually justified the title affixed to our friend's most recent papers—which we had fondly regarded merely as an additional evidence of his unique method of dealing with his fellow beings,—when they really proved the *last* essays of Elia, we could unaffectedly apply to him the touching language with which an admired poet has hallowed the memory of a brother bard:—

"Green be the turf above thee,
Friend of my better days,
None knew thee, but to love thee,
Nor named thee, but to praise."

And were it only for the peculiar species of fame which Lamb's contributions to the light literature of his country have obtained him,—were it only for the valuable lesson involved in this tributary heritage,—in the method by which it was won,—in the example with which it is associated, there would remain ample cause for congratulation among the real friends of human improvement; there would be sufficient reason to remember, gratefully and long, the gifted and amiable essayist. Instead of the feverish passion for reputation, which renders the existence of the majority of professed *littérateurs* of the present day, a wearing and anxious trial, better becoming the dust and heat of the arena, than the peaceful shades of the academy, a calm and self-reposing spirit pervades and characterises the writings of Lamb. They are obviously the offspring of thoughtful leisure; they are redolent of the *otium*; and in this consists their peculiar charm. We are disposed to value this characteristic highly, at a time which abounds, as does our age, with a profusion of forced and elaborate writings. It is truly delightful to encounter a work, however limited in design and unpretending in execution, which revives the legitimate idea of literature,—which makes us feel that it is as essentially *spontaneous* as the process of vegetation, and is only true to its source and its object, when instinct with freshness and freedom. No mind, restlessly urged by a morbid appetite for literary fame, or disciplined to a mechanical development of thought, could have originated the attractive essays we are

considering. They indicate quite a different parentage. A lovely spirit of contentment, a steadfast determination towards a generous culture of the soul, breathes through these mental emanations. Imaginative enjoyment,—the boon with which the Creator has permitted man to meliorate the trying circumstances of his lot, is evidently the great recreation of the author, and to this he would introduce his readers. It is interesting to feel, that among the many accomplished men, whom necessity or ambition incline to the pursuit of literature, there are those who find the time and possess the will to do something like justice to their own minds. Literary biography is little else than a history of martyrdoms. We often rise from the perusal of a great man's life, whose sphere was the field of letters, with diminished faith in the good he successfully pursued. The story of disappointed hopes, ruined health, a life in no small degree isolated from social pleasure and the incitements which nature affords, can scarcely be relieved of its melancholy aspect by the simple record of literary success. Earnestly as we honour the principle of self-devotion, our sympathy with beings of a strong intellectual and imaginative bias is too great not to awaken, above every other consideration, a desire for the self-possession and native exhibition of such a heaven-implanted tendency. We cannot but wish that natures thus endowed should be true to themselves. We feel that, in this way, they will eventually prove most useful to the world. And yet one of the rarest results which such men arrive at, is self-satisfaction in the course they pursue—we do not mean as regards the success, but the direction of their labours. Sir James Mackintosh continually lamented, in his diary, the failure of his splendid intentions,—consoled himself with the idea of additional enterprises, and finally died without completing his history. Coleridge has left only, in a fragmentary and scattered form, the philosophical system he proposed to develope. Both these remarkable men passed intellectual lives, and evolved, in conversation and fugitive productions, fruits which are worthy of a perennial existence; yet they fell so far short of their aims, they realised so little of what they conceived, that an impression the most painful remains upon the mind that, with due susceptibility, contemplates their career. We find, therefore, an especial gratification in turning from such instances, to a far humbler one indeed,—but still to a man of genius, who richly enjoyed his pleasant and sequestered inheritance in the kingdom of letters, and whose comparatively few productions bear indubitable testimony to a mind at ease,—a felicitous expansion of feeling,—an imaginative and yet contented life. It is as illustrative of this, that the essays of Elia are mainly valuable.

In our view, the form of these writings is a great recommendation. We confess a partiality for the essay. In the literature of our vernacular tongue, it shines conspicuous, and is environed with the most pleasing associations. To the early English essayists is due the honour of the first and most successful endeavours to refine the language and manners of their country. The essays of Dr. Johnson, Goldsmith, Addison, and Steele, while they answered a most important immediate purpose, still serve as instructive disquisitions and excellent illustrations of style. The essay is to prose literature, what the sonnet is to poetry; and as the narrow limits of the latter have enclosed some of the most beautiful poetic imagery, and finished expressions of sentiment within the compass of versified writing, so many of the most chaste specimens of elegant periods, and of animated and embellished writing, exist in the form of essays. The lively pen of Montaigne, the splendid rhetoric of Burke, and the vigorous argument of John Foster, have found equal scope in essay writing: and among the various species of composition at present in vogue, how few can compare with this in general adaptation. Descriptive sketches and personal traits, speculative suggestions and logical deductions, the force of direct appeal, the various power of illustration, allusion and comment, are equally available to the essayist. His essay may be a lay-sermon or a satire, a criticism or a reverie. "Of the words of men," says Lord Bacon, "there is nothing more sound and excellent than are letters; for they are more natural than orations and more advised than sudden conferences." Essays combine the qualities here ascribed to epistolary composition; indeed, they may justly be regarded as letters addressed to the public; embodying—in the delightful style which characterises the private correspondence of cultivated friends—views and details of universal interest.

There is more reason to regret the decline of essay writing, from the fact, that the forms of composition now in vogue, are so inferior to it both in intrinsic excellence and as vehicles of thought. There is, indeed, a class of writers whose object is, professedly and solely, to amuse; or if a higher purpose enter into their design, it does not extend beyond the conveyance of particular historical information. But the majority of prominent authors cherish, as their great end, the inculcation of certain principles of action, theories of life, or views of humanity. We may trace, in the works of the most justly admired writers of our own day, a favourite sentiment or theory pervading, more or less, the structure of their several volumes, and constantly presenting itself under various aspects, and in points of startling contrast or thrilling impression. We honour the deliberate and faithful presentation of a theory, on the part

of literary men, when they deem it essential to the welfare of their race. Loyalty to such an object bespeaks them worthy of their high vocation; and we doubt if an author can be permanently useful to his fellow beings and true to himself, without such a light to guide, and such an aim to inspire. Dogmatical attachment to mere opinion is doubtless opposed to true progression in thought: but fidelity in the development and vivid portraiture of a sentiment knit into the well-being of man, and coincident with his destiny, is among the most obvious of literary obligations. Something of chivalric interest is attached to "Sidney's Defence of Poesy;" the anxiety for the reform of conventional customs and modes of thinking in society, so constantly evinced in the pages of the Spectator, commands our sympathy and respect; and we think the candid objector to Wordsworth's view of his divine art, cannot but honour the steadiness with which he has adhered to, and unfolded it. Admitting, then, the dignity of such literary ends,—the manner in which they can be most effectually accomplished, must often be a subject of serious consideration.

It is generally taken for granted, that the public will give ear to no teacher who cannot adroitly practise the expedient so beautifully illustrated by Tasso, in the simile of the chalice of medicine with a honeyed rim. True as it is, that in an age surfeited with books of every description, there exists a kind of necessity for setting decoys afloat upon the stream of literature—is not the faith in literary lures altogether too perfect? Does the mental offspring we have cherished, obtain the kind of attention we desire, when ushered into the world arrayed in the garb of fiction? The experiment, we acknowledge, succeeds in one respect. The inviting dress will attract the eyes of the multitude; but how few will penetrate to the theory, appreciate the moral, or enter into the thoughts to which the fanciful costume is only the drapery and framework? The truth is, the very object of writers who would present a philosophical problem through the medium of a novel, is barely recognised. *Corinna* is still regarded as a romance *sui generis*. Several efforts of the kind, on the part of living British writers of acknowledged power, seem to have utterly failed of their purpose, as far as the mass of readers, whom they were especially intended to affect, are concerned. The plan in such instances, is strictly psychological. Public attention, however, is at once riveted on the plot and details; and some strong delineation of human passion, some trivial error in the external sketching, some over intense or too minute personation of feeling, suffices to condemn the work in the view—we do not say how justly—even of the discriminating. Now we are confident, that should the writers in

question choose the essay as a vehicle of communication, their success in many cases would be more complete. Their ideas of life, of a foreign land, of modern society, or of human destiny, presented in this shape, with the graces of style, the attraction of anecdote, and the vivacity of wit and feeling, could not but find their way to the only class of readers who will ever estimate such labours; those who read to excite thought, as well as beguile time; to gratify an intellectual taste, as well as amuse an ardent fancy. The novel, too, is in its very nature ephemeral. The very origin of the word associates such productions with the gazettes and magazines—the temporary caskets of literature. And with the exception of Scott's, and a few admirable historical romances, novels seem among the most frail of literary tabernacles. Now, in reference to the class of authors to whom we have alluded, those who have a definite and important point in view, who are enthusiastic in behalf of a particular moral or mental enterprise, the evanescent nature of the popular vehicle is an important consideration. We would behold a more permanent personification of their systems, a more lasting testimony of their interest in humanity. And such we consider the essay. When presented, condensed, and embellished in this more primitive form, a fair opportunity will be afforded for the candid examination of their sentiments; and we are persuaded that these very ideas, thus arranged and disseminated, will possess a weight and an interest which they can never exhibit when displayed in the elaborate and desultory manner incident to popular fiction. An interesting illustration of these remarks may be found in the circumstance that many intelligent men, who are quite inimical to Bulwer, as a novelist, have become interested in his mind by the perusal of "England and the English," and "The Student"—works which are essentially specimens of essay writing. The dramatic form of composition has recently been adopted in England, to subserve the theoretical purposes of authors. This, it must be confessed, is a decided improvement upon the more fashionable method; and the favour with which it has been received, is sufficiently indicative of the readiness of the public to become familiar with nobler models of literature.

We are under no slight obligations to Charles Lamb, for so pleasantly reviving a favourite form of English composition. We welcome Elia as the *Spectator-redivivus*. It is interesting to be amused and instructed after the manner of that delectable coterie of lay-preachers, humourists, and critics, of which Sir Roger de Coverly was so distinguished a member. It is peculiarly agreeable to be talked to in a book, as if the writer addressed himself to us particularly. Next to a long epistle from

an entertaining friend, we love, of all things in the world, a charming essay;—a concise array of ideas—an unique sketch, which furnishes subjects for an hour's reflection, or gives rise to a succession of soothing day dreams. Few books are more truly useful than such as can be relished in the brief intervals of active or social life, which permit immediate appreciation, and, taken up when and where they may be, present topics upon which the attention can at once fix itself, and trains of speculation into which the mind easily glides. To such a work we suppose a celebrated writer alludes, in the phrase "parlour window-seat book." Collections of essays are essentially of this order. We would not be understood, however, as intimating that this kind of literature is especially unworthy of studious regard; Bacon's Essays alone would refute such an idea; but from its conciseness and singleness of aim, the essay may be enjoyed in a brief period, and when the mind is unable to attach itself to more elaborate reading. A volume of essays subserves the purpose of a set of cabinet pictures, or a port folio of miniature drawings; they are the *multum in parvo* of literature; and, perused, as they generally are, in moments of respite from ordinary occupation, turned to on the spur of mental appetite, they not unfrequently prove more efficient than belles-lettres allurements of greater pretension. It is seldom that any desirable additions are made in this important department of writing; and among the contributions of the present age, the essays of Elia will deservedly hold an elevated rank.

Much of the interest awakened by these papers, has been ascribed to the peculiar phraseology in which they are couched. Doubtless, this characteristic has had its influence; but we think an undue importance has been given it, and we feel that the true zest of Elia's manner is as spontaneous as his ideas, and the shape in which they naturally present themselves. If we analyse his mode of expression, we shall find its charm consists not a little in the expert variation rather than in a constant maintenance of style. He understood the proper time and place to introduce an illustration; he knew when to serve up one of his unequalled strokes of humour, and when to change the speculative for the descriptive mood. He had a happy way of blending anecdote and portraiture; he makes you see the place, person, or thing, upon which he is dwelling; and, at the moment your interest is excited, presents an incident, and then, while you are all attention, imparts a moral, or lures you into a theorising vein. He personifies his subject, too, at the appropriate moment; nor idealises, after the manner of many essayists, before the reader sympathises at all with the real picture. Lamb's diction breathes the spirit of his favourite school. He need not have told us of his partiality

for the old English writers. Every page of Elia bears witness to his frequent and fond communion with the rich ancient models of British literature. Yet the coincidence is, in no degree, that which obtains between an original and a copyist. The tinge which Lamb's language has caught from intimacy with the quaint folios, he so sincerely admired, is a reflected hue, like that which suffuses the arch of clouds far above the setting sun; denoting only the delightful influence radiated upon the mind which loves to dwell devotedly upon what is disappearing, and turns with a kind of religious interest from the new-born luminaries which the multitude worship, to hover devotedly round the shrine of the past. If any modern lover of letters deserved a heritage in the sacred garden of old English literature, that one was Charles Lamb. Not only did he possess the right which faithful husbandry yields, but his disposition and taste rendered him a companion meet for the noble spirits that have immortalised the age of Elizabeth. In truth, he may be said to have been on more familiar terms with Shakspeare, than with the most intimate of his cotemporaries; and it may be questioned whether the *Religio Medici*, that truly individual creed, had a more devout admirer in its originator, than was Elia. He assures us that he was "shy of facing the prospective," and no antiquarian cherished a deeper reverence for old china, or the black letter. Most honestly, therefore, came our author by that charming relish of olden time, which sometimes induces in our minds, as we read his lucubrations, a lurking doubt whether, by some mischance, we have not fallen upon an old author in a modern dress.

There is another feature in the style of these essays, to which we are disposed to assign no inconsiderable influence. We allude to a certain confessional tone, that is peculiarly attractive. There is something exceedingly gratifying to the generality of readers in personalities. On the same principle that we are well pleased to become the *confidant* of a friend, and open our breasts to receive the secret of his inmost experience, we readily become interested in a writer who tells us, in a candid, *naïve* manner, the story not merely of his life, in the common acceptation of the term, but of his private opinions, humours, eccentric tastes, and personal antipathies. A tone of this kind, is remarkably characteristic of Lamb. And yet there is in it nothing egotistical; for we may say of him as has been said of his illustrious schoolfellow, whom he so significantly, and, as it were, prophetically, called "the inspired charity boy;"—that "in him the individual is always merged in the abstract and general." Writers have not been slow to avail themselves of the advantage of thus occasionally and incidentally presenting glimpses of their private notions and

sentiments; indeed, this has been called the age of confessions; but with Elia, they are so delicately and yet so familiarly imparted, that they become a secret charm inwrought through the whole tissue of what he denominates his "weaved up follies." There are passages scattered through this volume, which exemplify the very perfection of our language. There are successive periods, so adroitly adapted to the sentiment they embody, so easy and expressive, and, at the same time, so unembellished, that they suggest a new idea of the capabilities of our vernacular. There are words, too, at which we should pause, if they were indited by another, to institute a grave inquiry into their legitimacy, or, perchance, prefer against their author the charge of senseless affectation. But with what we know of Elia, in catching ourselves at such a process, we could not but waive the ceremony, and say of it as he has said of some, equally heartless vocation—"it argues an insensibility."

Another striking trait of the Essays of Elia, is the familiarity of their style. In this respect they frequently combine the freedom of oral with the more deliberative spirit of epistolary expression. We have already alluded to one effect of this method of address; it annihilates the distance between the reader and author, and, so to speak, brings them face to face. Facility in this kind of writing, is one of the principal elements in what is called magazine talent. It consists in maintaining a conversational tone while discussing a topic of great interest in a humorous way, or making a light, one the nucleus for spirited, amusing, or instructive ideas. The dearth of this popular tact in this country, and its fertility in England, are well known. We think the discrepancy can be accounted for by reference to the essential difference in the social habits of the two countries. The literary clubs are the nurseries of this attractive talent in Great Britain. The custom of convening for intellectual recreation, favours the growth of a ready expression of thought, and of a direct and inviting flow of language. Writers are habituated to an attractive style, by being trained in a school of conversation. Intimate connection with the best minds, not only informs and kindles, but induces vivacity of delivery both in speech and writing. We can conceive, for instance, of no inspiration even to the colloquial powers of an intelligent man, like direct communion with such an individual as Mackintosh; and we can find no cause for wonder, that one blessed with the companionship of the literati of London and Edinburgh, should acquire the power of talking on paper in a delightful and finished manner. Such society affords, if we may be allowed the expression, a kind of intellectual gymnasium, where the art of interesting with the pen may be, and naturally is, acquired by such as are endowed with

native wit, and reflective or graphic ability. With us the case is so widely different, the opportunities for general and exciting association so rare, that it is no matter of surprise that magazine talent, as it is termed, should be of slow growth. How far Charles Lamb was indebted to his social privileges for his style, we are not prepared to say. Yet there are numerous indications of the happy influence of which we speak, interspersed through his commentaries on men and things. We refer, of course, altogether to the style; for as to the ideas, they are entirely his own; bearing the genuine stamp of originality. It seems essential to an efficient light literature, that those interested in its culture should be brought into frequent contact with each other, and with general society. A poet who would evolve representations of humanity in abstract forms, who would present models beyond and above his age, may indeed find, in the shades of retirement, greater scope, and a less disturbed scene wherein to rear his imaginary fabric; and the philosopher whose aim is the application of truth to history, or the delineation of some important principle in science or art, doubtless requires comparative solitude. The position of both is contemplative. The fancy of the one would plume itself for flight, and the eyry of the noblest birds is always among uninvaded haunts; the reflection of the other would grapple with the abstract, and the deepest elemental strife of nature is ever amid her lofty cloud-retreats, or solitary depths. But the writer who would beguile, amuse, or teach his contemporaries by some winning literary device, who would accomplish all these objects at once, and "do it quickly," must mix with his fellow-creatures, and make a study of the passers-by. He must hold familiar intercourse with the ruling school; not to adopt their principles, but to become disciplined by their conversation; and he should note the multitude warily, in order to discover both the way and the means of affecting them. The legitimate essayist has need of a rich vocabulary, and a flexible manner; a quick perception, and a candid address. And these equipments, if not obtainable, are at least improveable, by social aids. Conversation, were it not utterly misunderstood and perverted, might prove a mighty agent in the culture of the noblest of human powers, and the sweetest of human graces. There was a beautiful fidelity to nature in the habits of the philosophers of the Garden. There are few pictures so delightful in ancient history, as the noble figure of a Grecian sage moving through a rural resort, or beneath a spacious portico, imparting to his youthful companion lessons of wisdom, or curbing his own advanced mind to pioneer that of his less mature auditor through the early mazes of mental experience. The teeming presence of nature and art in all their

variety and eloquence, the appeal to sympathy, lurking in the very tones of wisdom, the mere inspiration of human presence, combine to create an impression infinitely more vivid than lonely gleanings among written lore could awaken. We are slow to comprehend the capabilities of conversation, or we should cultivate it sedulously, and with a deeper faith. The single effect which we have noticed in relation to English literature, is of itself no inconsiderable argument. If to social culture we may in a great degree ascribe the exuberance of talent for periodical literature on the other side of the water, there is surely no small inducement to elevate and quicken the conversational spirit of our country; for whatever rank be assigned to this form of writing, its history sufficiently attests the great influence it is capable of exerting, and the important purposes it may subserve. Elia, we think, gives very satisfactory indications of his origin. Without the local allusions and constant references to native authors, there is something about him which smacks of London. Individual as Lamb is, he is not devoid of national characteristics; and a reader, well aware of the composite influences operative upon men of letters who hail from the British metropolis, will readily discover, though not informed of the fact, that Elia was blessed with a score of honourable friends, who have contributed to the literary fame of Great Britain.

Lamb is not singular in his attachment to minutiae; it is characteristic of the literature of the day. In former times, writers dealt in the general; now they are devoted to the particular. In almost every book of travels and work of fiction, we are entertained, or rather the attempt is made to entertain us, with exceedingly detailed descriptions of the features of a landscape, the grouping in a picture, or the several parts of a fashionable dress. By such wearisome nomenclature, it is expected that an adequate conception will be imparted, when, in many cases, a single phrase, revealing the *impression* made by these objects, would convey more than a hundred such inventories. Lamb, by virtue of his nice perception, renders details more effective than we should imagine was practicable. In a single line, we have the peculiarities of a person presented; and by a brief mention of the gait, demeanour, or perhaps a single habit, the ceremony of introduction is over; we not only stand and look in the direction we are desired, but we *see* the object, be it an old bencher, or a grinning chimney sweep; an ancient courtyard, or a quaker meeting; a roast pig, or an old actor; Captain Jackson, or a poor wretch in the pillory, consoling himself by fanciful soliloquies. We have compared essays, in their general uses, to a set of cabinet pictures. Elia's are peculiarly susceptible of the illustration. They are the

more valuable, inasmuch as something of the mellow hue of old paintings broods over them; here and there a touch of beautiful sadness, that reminds us of Raphael; now a line of penciling, overflowing with nature, which brings some favourite Flemish scene to mind; and again, a certain softness and delicate finish that whisper of Claude Lorraine.

There are two points in which Charles Lamb was eminent, where tolerable success is rare; these are pathos and humour. He understood how to deal with the sense of the humorous and pathetic. He seems to have been intuitively learned in the secret and delicate nature of these attributes of the mind; or rather, it would appear that his own nature, in these respects, furnished a happy criterion by which to address the same feelings in others. We cannot analyse, however casually, the humour and pathos of Elia, without perceiving that they are based on a discerning, and, if the expression may be allowed, a sentimental fellow-feeling for his kind. So ready and true was this feeling, that we find him entering, with the greatest facility, into the experience of human beings whom the mass of society scarcely recognise as such. He talks about a little chimney sweep, an aged mendicant, or an old actor, as if he had, in his own person, given proof of the doctrine to which his ancient friend, Sir Thomas Browne, inclined, and actually, by a kind of metempsychosis, experienced these several conditions of life. His pathos and humour are, for the most part, descriptive; he appeals to us, in an artist-like and dramatic way, by pictures; we are not wearied with any preparatory and worked up process; we are not led to anticipate the effect. But our associations are skilfully awakened; an impression is unostentatiously conveyed, and a smile or tear first leads us to enquire into the nature of the spell. It is as though, in riding along a sequestered road, we should suddenly pass a beautiful avenue, and catch a glimpse of a garden, a statue, an old castle, or some object far down its green vista, so interesting that a reminiscence, an anticipation, or, perchance, a speculative reverie, is thereby at once awakened. Endeavours to touch the feelings or excite quiet mirth fail, generally, because the design is too obvious, or a strain of exaggeration is indulged in, fatal to the end in view. Frequently, too, the call upon our mirthful or compassionate propensities is too direct and strong. These feelings are not seldom appealed to, as if they were *passions*, and to be excited by passionate means. Indignation, enthusiasm, and all powerful impulses, are doubtless to be roused by fervent appeals; but readers are best *allured* into a laugh, and it is by gentle encroachments upon its empire, that the heart is best moved to sympathy. In drawing his pictures, Lamb indulged not in caricature. It is his truth,

not less than his quaintness and minute touches, that entertains and affects us. He avoids, too, the vulgar modes of illustration. Not by descriptions of physiognomy or costume, does he excite our risible tendencies, nor thinks he to win our pity by over-drawn statements of the insignia and privations of poverty. Elia is no poor metaphysician. He comprehends the delicacy of touch required in the limner who would impressively delineate, even in a quaint style, any element or form of humanity. By what would almost seem a casual suggestion, we often have a conception imparted worth scores of wire-drawn exemplifications. Well aware was our essayist that a single leaf whirled by the breeze of accident upon the soul's clear fountain, would awaken successive undulations of thought; he was versed in the philosophy of association; he possessed the susceptibility of an affectionate nature, and that fine sense of the *appropriate* which is one of the most valuable of our insights, and accordingly, he caused his inimitable shades of humour and pathos "to faintly mingle, yet distinctly rise." He wishes us to realise the sufferings of poor children, and, by briefly indicating the mere tenor of their street-talk, causes our hearts to melt at the piteous accents of *care*, from lips so young. He would vindicate that excellent precept in the counsel of old Polonius,—“Neither a borrower nor a lender be;” and draws such a full-length portrait of the former character, that when one of the species has once inspected it, he can never again lay the flattering unction of self-ignorance to his heart. He reprimands book-stealers by describing his own impoverished shelves, and points out the blessings of existence, by quaintly discussing the deprivations attendant on its loss. The anniversaries of time pass not by without their several merits being canvassed by his pen; and although he tells us little that is absolutely new, he holds the light of his pleasant humour up to the faces of these annual visitants, and thenceforth their features possess greater reality and are more easily recognised. Not a little of Lamb's humour is shadowed forth in the subjects of his essays. Had we fallen upon such titles in the index of any other anonymous author, we should have set him down as one who, in straining after the novel, evidenced a morbid taste; but there is nothing more characteristic of Elia, than the topics he selects. They are as legitimate as an undoubted signature. Should this be questioned, let the treatment bestowed upon these uninvestigated themes, be examined. They will prove as well adapted to their author's genius as the Scottish peasant's life was to Burns's muse, or the praise of Laura to Petrarch's. Who should have written the history of England, among the many who have tried their skill in that illustrious task, may be a matter of doubt; and to what

American Scott we are to look for a series of romances illustrative of our history, is yet a subject of speculation ; but no man, of ordinary perception, we presume, can for a moment question that "The Melancholy of Tailors,"—"the Character of an Undertaker,"—"the Praise of Chimney-sweepers,"—the "Inconveniences of being Hanged," and sundry kindred subjects, were reserved for the pen of Elia.

That writer is wise who avails himself of a somewhat familiar idea, in presenting his mental creations to the public. There is need of as much consideration in bestowing a name upon an essay or a poem, which we wish should be read, as in naming a child whom we would dedicate to fame. The same reasons for circumspection obtain in both cases. The more original the appellation, provided it is not utterly foreign to all general associations, the better. But it is essential that there should be something which will create an interest at a glance. Our essayist has been happy in his choice of subjects ; his wit failed him not here. Though no one has previously written the "Praise of Chimney-sweepers," yet every one sees the dusky urchins daily, and would fain know what can be said in their behalf. Most people have noticed the "Melancholy of Tailors," and are glad to find that some one has undertaken philosophically to explain it. The headings of all Elia's papers are exactly such as would beguile us into reading when we desire to enter the region of quiet thought, and forget our cares in some literary pastime. There is one element of genius, the influence of which we have never seen acknowledged, that ever impresses our minds in reflecting on the themes to which gifted men apply themselves. We allude to a certain daring which induces them to grapple with topics, and give expression to thoughts, which many have mused upon without thinking of giving them utterance. There is much of Byron's poetry which seems almost like a literal transcript of our past or occasional emotions ; the more powerful and acknowledged a genius, the more fervently do we declare the coincidence of our feelings with his delineations. Many odd speculations have occurred to us in reference to the strange subjects to which Lamb is partial ; we respond to most of his portraiture, and sympathise in the feelings he avows. His humour and pathos, therefore, are true, singularly, beautifully true, to human nature ; in this consists their superiority. Many have aimed at the same results in a similar way ; but the genius of Lamb, in this department, has achieved no ordinary triumph.

The drama was a rich source of pleasure and reflection to Lamb. During a life passed almost wholly in the metropolis, the theatre afforded him constant recreation, and the species of excitement his peculiar genius required. It was to him an

important element in the imaginative being he cherished. By means of it, he continually renewed and brightened the rich vein of sentiment inherent in his nature. To him it addressed language rife with the meaning which characterised its ancient voice,—full of suggestive and impressive eloquence. Deeply versed in the whole range of dramatic literature, master of the philosophy of Shakspeare, and overflowing with a highly cultivated taste for the dramatic art, the drama was ranked by Elia among the redeeming things of life. He did not coldly recognise, but deeply felt, its importance to modern society. Surrounded by the bustle, the worldliness and the material agencies of a populous capital, he daily saw man struggling on beneath the indurating pressure of necessity, or presenting only artificial aspects,—and to the strong and true representation of human nature, on the stage and in the works of the dramatist, he looked as a noble means of renovation. It gratified his humane spirit, that the poor mechanic should lose, for an hour, the memory of his toilsome lot, in sympathy with some vivid personation of that love which once sent a glow to his now hollow temples; that the creature of fashion and pride should, occasionally, be led back to the primal fountains of existence by the hand of Thespis; that an unwonted tear should sometimes be drawn, like a pearl from the deep, to the eye of some fair worldling, at the mighty appeal of nature, in the voice of an affecting portrayer of her truth. Elia had faith in the legitimate drama, as the native offspring of the human mind, significant of its successive eras, and as fitted to supply one of its truest and deepest wants; and well he might have had,—for its history was as familiar to him as a household tale; he had explored its chronicles with the assiduity of an enthusiast, and the acumen of a virtuoso; he had garnered up its gems as the true jewels of his country's literature; he honoured its worthy votaries as ministrants at the altar of humanity; and, above all, in his own experience, he had learned what human taste, judgment, and feeling, may derive from the wise appropriation of dramatic influences. He knew, as well as his readers, how much he was indebted to an intelligent devotion to them, for the vividness of his pencilings, the fertility of his associations, and the beauty of his imagery. Not in vain did he seek, in Hamlet's musings, "grounds more relative" than popular reading could afford, or turn from the inconsistencies of modern gallantry, which he so admirably delineated, to bestow his fond attentions upon the "bright angel" of Verona, and "the gentle lady wedded to the Moor."

Lamb's interest in the drama was too well founded to be periodical, as is generally the case. He shared, indeed, the common destiny, in beholding his youthful visions of theatrical

glory fade ; the time came to him, as it comes to all, when the mysterious curtain was reduced to its actual quality, and became *bona fide* green baize, and when the polished pilasters lost their likeness to "glorified sugar candy ;" but the histrionic *art* retained its interest, and the literature of the drama yielded a continued pastime. From the rainy afternoon which the "child Elia" spent in such hope and fear, lest the wayward elements should deprive him of his "first play"—to the night when the sleep of the man Elia was disturbed with visions of old Munden—he sought and found, in the drama, food for his reflective humour and pleasurable occupancy in his weary moods—if such e'er came to him—which may be doubted, since he has not so informed us. Notwithstanding his partiality for theatrical representations, few play-goers entertained a more just idea of their frequent and necessary inadequateness. He recognised the limits of the dramatic art. He realised, beyond the generality of Shakspeare's admirers, the impossibility of presenting, by the most successful performance, our deepest conception of his characters. He knew that the wand of that enchanter dealt with things too deep, not only for speech, but for expression. He was impatient at the common interpretation of Shakspeare's mind. In the stillness of his retired study, the creations of the bard appeared to him, as in an exalted dream. In the attentive perusal of his plays,—the delicate touches, the finer shades, the under current of philosophy, were revealed to the mind of Lamb with an impressiveness, of which personification is unsusceptible ; and few of his essays are more worthy of his genius than that which embodies his views on this subject. It should be attentively read by all who habitually honour the minstrel of Avon, without being perfectly aware why the honour is due. It will lead such to new investigations into the mysteries of that wonderful tragic lore, upon which the most gifted men have been proud to offer one useful comment, or advance a single illustrative hint. To the acted and written drama, Lamb assigned an appropriate office ; he believed each had its purpose, and that he who would derive the greatest benefit from either, should study them relatively and in conjunction. Such was his own method, and to the steadiness and success with which he pursued it, his writings bear the most interesting testimony. The *goût* with which he dwells upon his dramatic reminiscences, the delight he takes in living over scenes of this kind,—in recalling, after an interval of years, the enjoyment of a single evening of Liston's or Bensley's acting, indicate the intelligence and warmth of his love of theatrical performances ; while his successful efforts in reviving the nearly forgotten dramatic literature of the English stage, and his admirable essays, directly or indirectly devoted

to the general subject, evince his application and attachment to it. His talents as a dramatic critic are every where visible. There is one feature of our author's devotion to the drama, which is too characteristic of the man, and too intrinsically pleasing, to be unnoticed. He never forgot those who had contributed to his pleasure in this manner. They were not to him the indifferent, unestimated beings they are to the majority of those who are amused and instructed by their labours. Charles Lamb respected the genius of a splendid tragedian on the same ground that that of a fine sculptor won his admiration. He believed one as heaven-bestowed as the other. He recognised his intellectual or moral obligations to an affecting actor as readily as to a favourite author. He sincerely respected the ideality of the profession, sympathised in the life of toil and comparative isolation it imposes, and felt for the deserving and ambitious who had, by assiduous culture and native energy, risen to its summit only to look forward from that long sought elevation, to a brief continuance of success, followed by an unhonoured decline,—an age of neglect, and the world's oblivion.

One of Lamb's most winning traits is his sincerity. The attractiveness of this beautiful virtue, even in literature, is worthy of observation. It seems to be an ordination of the intellectual world, and a blessed one it is to those who cherish faith in a spiritual philosophy—that truth of expression shall alone prove powerfully and permanently effective. It is happy that we are so constituted as to be moved chiefly, if not solely, by voices attuned and awakened by genuine emotion; it is well when foreign aids and the most insinuating of conventional appliances fail to deceive us into admiration of an artificial literary aspirant; it is a glorious distinction of our common nature, that soul-prompted language is the only universally acknowledged eloquence. The mission of individual genius is to exhibit itself. The advocacy of popular opinions, the illustration of prevailing theories—the literary party-work of the day, may be undertaken by such as are unconscious of any more special and personal calling. But let there be a self-preaching priesthood in the field of letters and of art, to teach the great lesson of human individuality. Let some gifted votaries of literature and philosophy breathe original symphonies, instead of merging their rich tones in the general chorus. Unfortunate is the era when such men are not; and thrice illustrious that in which they abound. The history of the world proves this; and in proportion as an author is sincere, in whatever age, he deserves our respect. We spontaneously honour minds of this order, in whatever form they are encountered. The complacent smile with which douce Davie Deans,

in Scott's most beautiful tale, hears himself denominated a *Deanite*, recommends him to our esteem. And when a poet or an essayist is as habitually and earnestly candid as is Elia, we feel and acknowledge his worth, whatever may be the calibre of his genius.

Many and singular are the advantages attendant upon this characteristic. The most obvious is that it brings out the true power—the *proprium ingenium*—of the individual. Look at the history of Milton and Dante. They surveyed their immediate social circumstances for a reflection of themselves in vain; and then in calm confidence they turned to the mirror fountain within themselves, and thence evolved thoughts—unappreciated, indeed, by their cotemporaries—yet in the view of posterity none the less oracular. And such intellectual labourers—however confined and comparatively unimportant the sphere of effort—being absolved from any undue allegiance to merely temporary influences, their productions possess a free and personal stamp. Truth is to literature, what, in the view of the alchymists, the philosopher's stone was to the base metals; it converts all it touches into gold. And, although our author had to do mainly with topics which a superficial reasoner would term trifling, yet his lovely sincerity gives them a character, and sheds upon them a warm and soothing light more pleasing than weightier themes, less ingenuously treated, can often boast. Being sincere, of course Elia wrote only from the inspiration of his overflowing spirit; he seems to have penned every line, to have thrown off every essay, *con amore*. He did not require the expedient of the Greek painter, who covered the face of one of his great figures with a mantle, not daring to attempt a portraiture of the intense grief which he represented him as suffering. Lamb endeavoured not to express what he did not feel; he wrote not from necessity or policy, but from enthusiasm, from his own gentle, sweet, yet deep enthusiasm. He had a feeling for the art of writing, and therefore he would not make it the hackneyed conventional agent it too often is; but ever regarded it as a crystalline mould wherein he could faithfully present the form, hues, and very spirit of his sentiments and speculations.

A striking and delightful consequence of this literary sincerity is, that it preserves and develops the proper humanity of the author. Literati of this class are utterly devoid of pedantry. In society, and the common business of life, they are as other men, except that a finer sensibility, and more elevated general taste, distinguishes them. In becoming writers, they cease not to be men. Literature is then, indeed, what the English poet would have it,—“an honourable *augmentation*” to our arms; it is not exclusively pursued as if it

were life's only good, and a human being's sole aim ; but it is applied to as a beautiful accomplishment—a poetical recreation amid less humanising influences. Thus, instead of serving merely as an arena for the display of selfish ambition, or a cell wherein unsocial and barren devotion may find scope, it is valued chiefly as a means of embodying the unforced impressions of our own natures, for the happiness and improvement of our fellow creatures. We say that such a view must be taken by sincere authors of their vocation, because they cannot but feel that, from the very constitution of their natures, literature is only a part of the great whole—the soul's being—a single form of its development, and one among the thousand offices to which the versatile mind is called.

It is needless to prove, in detail, Lamb's sincerity. It is, perhaps, his most prominent characteristic ; but in tracing out and dwelling upon its influence, we are newly impressed with the truth of Shaftesbury's declaration, that "wisdom is more from the heart than from the head." We have ever remarked that the most delightful and truly sincere writers are the most susceptible, affectionate, and unaffected men. We have felt, that however intellectually endowed, the feelings of such individuals are the true sources of their power. Sympathy we consider one of the primal principles of efficient genius. It is this truth of feeling which enabled Shakspeare to depict so strongly the various stages of passion, and the depth, growth, and gradations of sentiment. In whom does this primitive readiness to sympathise—to enter into all the moods of the soul—continue beyond early life, so often as in men devoted to imaginative objects ? How frequently are we struck with the child-like character of artists and poets ! It sometimes seems as if, along with childhood's ready sympathy, many of the other characteristics of that epoch were projected into the more mature stages of being. "There is often," says Madame de Staël, "in true genius a sort of awkwardness, similar, in some respects, to the credulity of *sincere* and noble souls."

This readiness to catch impressions—this delicacy and warmth of sympathy which belongs to the sincere school of writers, is inestimable. It is said that a musical amateur traversed the whole of Ireland, and gathered from the peasants the delightful airs to which Moore's beautiful Irish melodies were afterwards adapted. How much of the charm of those sweet songs is owing to their associations with the native and simple music thus gleaned from voices to which it had traditionally descended ? And it is by their sympathy—their sincere and universal interest in humanity, that the sweetest poets, the most renowned dramatists, and such humble gleaners in

the field of letters, as our quaint essayist, are enabled to write in a manner corresponding with the heaven-attuned, unwritten music of the human heart. Sincerity gives them the means of interpreting for their fellow beings—not only the lofty subjects which filled the soul of the “blind bard of Paradise,” and the broad range of life upon which the observant mind of the poet of human nature was intent, but those lesser and more unique themes which Elia loved to speculate about, and humorously illustrate.

There is a unity of design in the essays of Elia. Disconnected and fugitive as we should deem them at first sight, an attentive perusal reveals, if not a complete theory, yet a definite and pervading spirit which is not devoid of philosophy. After being amused by Lamb’s humour, interested by his quaintness, and fascinated by his style, there yet remains a more deep impression upon our minds. We feel that he had a specific object as an essayist; or, at least, that the ideas he suggests tend to a particular result. What, then, was his aim? As an author, what mission does he fulfil? We think Charles Lamb is to life, what Wordsworth is to nature. The latter points out the field flowers, and the meadow rill, the soul’s most primal and simple movements, the mind’s most single and unsophisticated tendencies; the former indicates the lesser, and scarcely noticed sources of pleasure and annoyance, mirth and reflection, which occur in the beaten track of ordinary life. It was remarked, by an able critic, of the author of the *Lyrical Ballads*, that, “he may be said to take a personal interest in the universe;” with equal truth Elia may be regarded as taking a personal interest in life. He delighted in designating its everyday, universal, and for that very reason—disregarded experiences. Leaving the delineation of martyrdoms, and the deeper joys of the heart, to more ambitious writers, he preferred to dwell upon the misery of children when left awake in their solitary beds in the dark; to shadow forth the peace-destroying phantom of a “poor relation;” to draw up eloquent bacheloric complaints of the “behaviour of married people;” to describe, in touching terms, the agony of one condemned to hear music “without an ear;” and to lament pathetically the unsocial aspect of a metropolitan Sabbath, and the disturbing, heartless conduct of those who remove old landmarks. He did not sorrow only over minor miseries, but gloried in minor pleasures. To him, “Elysian exemptions” from ordinary toil—a sweet morning’s nap—a “sympathetic solitude”—an incidental act or emotion of benevolence, and, especially, those dear “treasures cased in leathern covers,” for which he was so thankful that he assures us he could say grace before reading them; these, and such as these, were to Charles Lamb absolute and

recognised blessings. He seems to have broke away from the bondage of custom and to have seen all things new. One would think, to note the freshness of his perceptions in regard to the most familiar objects of London, that in manhood he was for the first time initiated into city life—that he was a newcomer in the world at an advanced age. Hogarth found no more delight in his street-pencilings, than Lamb in his by-way speculations. In the voyage of life he seemed to be an ordained *cicerone*, directing attention to that lesser world of experience to which the mass of men are insensible,—drawing their attention from far-off visions of good, and oppressive reminiscences of grief, to the lowly green herbage, springing up in their way, and the soft gentle voices breathing at their firesides, and around their daily steps. And there is truth in Elia's philosophy, for,—

“If rightly trained and bred,
Humanity is humble,—finds no spot
Which her heaven-guided feet refuse to tread.”

We never rise from one of his essays without a feeling of contentment. He leads our thoughts to the actual available spring of enjoyment. He reconciles us to ourselves; causing home-pleasures, and the charms of the wayside, and the mere comforts of existence, to emerge from the shadow into which our indifference has cast them, into the light of fond recognition. The flat dull surface of common life, he causes to rise into beautiful *basso-relievo*. In truth, there are few better teachers of gratitude than Lamb. He rejuvenates our worn and weary feelings, revives the dim flame of our enthusiasm, opens our eyes to actual and present good, with his humorous accents, and unpretending manner, reads us a homily on the folly of desponding, and the wisdom of appreciating the cluster of minor joys which surround and may be made continually to cheer our being.

We have endeavoured to designate the most prominent of Charles Lamb's traits as an essayist. There is, however, one point to which all that we know of the man converges. His literary and personal example tends to one striking lesson, which should not be thoughtlessly received. We allude to his singular and constant devotion to the ideal. Indeed, he is one of those beings who make us deeply and newly feel how much there is within a human spirit,—how independent it may become of extrinsic aids,—how richly it may live to itself. Here is an individual whose existence was, for the most part, spent within the smoky precincts of London; first a school-boy at a popular institution, then a laborious clerk, and at length a “lean annuitant.” Public life, with its various mental incite-

ments,—foreign travel, with its thousand fertilising associations,—fortune, with the unnumbered objects of taste she affords,—ministered not to him. Yet with what admirable constancy did he follow out that sense of the beautiful, and the perfect, which he regarded as most essentially himself! How ardently did he cherish an ideal life! When outward influences and social restrictions encroached upon this, his great end,—the drama, his favourite authors, a work of art, or a musing hour, were proved restoratives. He did not gratify his fondness for antiquity among the ruins of the ancient world; but the Temple cloisters, or an old folio, were more eloquent to him of the past, than the Colosseum is to the mass of travellers. He knew not the happiness of conjugal affection; but his attachment to a departed object was to him a spring of as deep joy, as the unimagined often find in an actual passion. No little prattlers came about him at even-tide; but dream-children, as lovely as cherubs, solaced his lonely hours. The taste, the love, the very being of Charles Lamb, was ideal. The struggles for power and gain went on around him; but the tumult disturbed not his repose. The votaries of pleasure swept by him with all the insignia of gaiety and fashion; but the dazzle and laugh of the careless throng lured him not aside. He felt it was a blessed privilege to stand beneath the broad heavens, to saunter through the fields, to muse upon the ancient and forgotten, to look into the faces of men, to rove on the wings of fancy, to give scope to the benevolent affections, and especially to evolve from his own breast a light “touching *all things* with hues of heaven;” in a word, to be Elia. And is there not a delight in contemplating such a life beyond that which the annals of noisier and more heartless men inspire? In an age of restless activity, associated effort, and a devotion to temporary ends, is there not an unspeakable charm in the character of a consistent idealist? When we can recall so many instances of the perversion of the poetical temperament in gifted natures, through passion and error, is there not consolation in the serene and continuous gratification with which it blessed Lamb? He has now left, for ever, the haunts accustomed to his presence. No more shall Elia indite quaint reminiscences and humorous descriptions for our pleasure; no more shall his criticism enlighten, his pathos affect, or his aphorisms delight us. But his sweet and generous sympathies, his refined taste for the excellent in letters, his grateful perception of the true good of being, his *ideal* spirit, dwells latently in every bosom. And all may brighten and radiate it, till life’s cold pathway is bright with the sunshine of the soul.

ART. X.—*The American in England.* By the author of "A Year in Spain." 2 vols. New York: Harper & Brothers. 1835.

England must ever be replete with the deepest interest to Americans. Apart from her parental relation, she must always be intimately connected with us, from the community of language, of enterprise, of customs, and of literature. Though circumscribed in territory, overburthened with population, and now agitated with the discussion of questions shaking the very foundations of her government, she must still be regarded as a queen amongst nations. We may behold her as a child might regard a parent, who, though in advanced life, is still vigorous, and who still commands esteem and affection by his mind and his achievements. We may feel pride in her never-failing resources, her immense wealth, her restless enterprise, her colossal power. Harassed with debt, crippled with encumbrances as she is, she is still the enlightened and loyal England.

The numerous and easy means of intercourse between the two countries, have afforded each a considerable insight into the character of the other. Here, however, John Bull has so far had the advantage of us; he has been admitted into our families, he has been invited to criticise our institutions, and he has grumbled at us in every position and relation of life. He has found out that we are vain without much reason, and he has characteristically abused us, not only wherever there was cause, but wherever things were different from those to which he had been accustomed. He has laughed at us because he could not find a hotel like the Clarendon in Michigan, and because the "helps" of the west were not as pliable as the waiters of his own foggy land. He has found out that new countries do not afford quite as polished society as old ones, and that where every one aspires to become rich and respected, few are willing to remain in servile situations. Yet he has occasionally touched us in sore places; he has discovered our vulnerable parts, and we writhe quarterly under the lash of some lusty cockney who skims over the country with his English prejudices on his eyes, and damns us as barbarians because we spit, and will not always call him "my lord." Jonathan, on the other hand, visits England superficially; he views things from the top of a stage-coach; he peers not into the sanctum of society; he wanders over a fertile country, studded with castles and cities; he sees splendid equipages, and all the appliances of wealth and luxury; he glances at well and happy looking faces along the road, and in the fulness of his heart he utters

praises. Even when he starts, as does our "American," feeling a little wroth at the sarcasms of our visitors from the old country, he generally finds that observation causes him to give up his prejudices. He looks upon the land as the home of his ancestry; and while viewing it in this light, he swells with pride that it is so. Are *we* treated as candidly?

Well, we are not the less ready to admire what is good, and to imitate what is worthy of imitation. There is much in England that may afford us benefit to consider, much to emulate, much to avoid. The government and its history are at the same time lessons and beacons to our legislators; her commerce, and its springs, to our merchants; her agriculture, and its perfection, to our farmers; her institutions, to our philanthropists. It may well be asked, whether we have done all we could, when regarding in their proper light these things in Great Britain. Have we not, in endeavouring to avoid what is objectionable, fallen into what is equally so? Have we not in many cases made extremes meet, and in others blindly pursued the same causes to the same end and errors? In our horror of a monarch, have we not hurried to the verge of man-worship and despotism? In our wish to increase our resources, have we not clogged ourselves with the same clogs as England? Are we not, by endeavouring to provide for the needy, taxing the labourer and the capitalist to pay premiums for poverty? These are questions for deep consideration; and questions, too, which, though they may startle our patriotism, are not so clearly to be answered in our praise.

Comparison with other countries, as afforded by means of well-written works of travel, is a wholesome and useful exercise. For this reason, we are always ready to offer to a tourist the meed of deserved praise. We rejoice that our citizens travel, if it is only to find out that we are not so unlike the rest of the world as some have supposed. There seems to be a rivalry between England and America, as to which shall write most books about the other. Besides authors, crowds of travellers have crossed the Atlantic, and stand ready to judge. Who has not sported a Stultz in Bond street? We have all tried to see London from St. Paul's, and have really seen it in the Colosseum. We have all gone to the Zoological Gardens, and been refused admittance to the King's Theatre, because, like foolish republicans as we are, we went thither in boots. No longer do we thrill at a description of Westminster Abbey; we all know, that when

"Sarvice is done; 'tis tuppence now,
To them'as vonts to stop."

Our imaginations of the eloquence of parliament, have been

squeezed out of us in the half crown gallery. England is no longer a land of wonders; she has become familiar to us. Alas, that utility should always be the foe of romance! Already do we see Constantinople the "but" of an "excursion," and steamers smoking on the *Ægean*. We could almost wish that the Moslem may maintain his sway, and dangers and dirks keep away the adventurous, rather than that pic-nics should take place on Mount Athos, or the Parthenon be in every "picturesque tourist's" sketch book, as "taken on the spot."

Our "American," whose work on Spain we had occasion to praise in a former number, tells us very modestly that he has in the present volumes simply attempted to give a faithful narrative of whatever he saw during a visit to England of a few weeks. We doubt not but that he has conscientiously done this. We may be permitted to regret, however, that he has, with some exceptions, confined himself to the same topics as his predecessors, and in consequence has started but little that is new. We regret, that one who is able to make what he has written so interesting, should not have produced a more novel work. We must believe that his observations and opportunities would have enabled him to extend it both in interest and matter.

He sails from New York; describes his voyage and its incidents in character, and with force; for, be it known, he is a sailor; arrives at Portsmouth, but, wishing to see the coast and channel between it and the mouth of the Thames, re-embarks for London. On his voyage thither, he falls into some reflections against the policy of England, in enthralling commerce with heavy tolls to light-houses, and instances the fact of Dungeness light paying Mr. Coke an enormous yearly profit. This has been condemned by many writers as shortsighted, especially in forcing foreign to pay more than native English ships, and not even exempting vessels driven into her ports by distress. He states the opinion of a distinguished merchant before a committee of the house of commons, as to the impossibility of sailing a vessel with profit in times like the present. To this he finds a ready answer in his voyage up the Thames, where he was surrounded by fleets of ships, clearly indicating that this opinion was not prevalent. And, indeed, those who have sailed up the Thames, or even those who have been rowed through the Pool, will all have the same answer to offer. We know not a more spirit-stirring sight, nor one better calculated to give man confidence in the energies of his fellows, and enlarge his ideas about commerce and wealth, than this view of the numberless vessels, from the huge East Indiaman down to the smallest craft, which crowd the river. Our American gives a decided preference to the superior appearance and sailing of

our coasters. He describes the Downs, lands at Gravesend, mounts a coach for London, arrives there, and takes up his quarters at the Colonnade hotel, where he is received with courtesy, though an "unfortunate outside."

His description of the coffee-room of the hotel is admirable and amusing, and given with much quiet humour.

"The coffee-room, into which I now entered, was a spacious apartment of oblong form, having two chimneys with coal fires. The walls were of a dusky orange; the windows at either extremity were hung with red curtains, and the whole sufficiently well illuminated by means of several gas chandeliers. I hastened to appropriate to myself a vacant table by the side of the chimney, in order that I might have some company besides my own musing, and be able, for want of better, to commune with the fire. The waiter brought me the carte, the list of which did not present any very attractive variety. It struck me as very insulting to the pride of the Frenchman, whom I had caught a glimpse of on entering, not to say extremely cruel, to tear him from the joys and pastimes of his belle France, and conduct him to this land of fogs, of rain, and gloomy Sundays, only to roast sirloins, and boil legs of mutton.

"The waiter, who stood beside me in attendance, very respectfully suggested that the gravy-soup was exceedingly good; that there was some fresh sole, and a particularly nice piece of roast beef. Being very indifferent as to what I ate, or whether I ate any thing, and moreover quite willing to be relieved from the embarrassment of selecting from such an unattractive bill of fare, I laid aside the carte, not however before I had read, with some curiosity, the following singular though very sensible admonition, 'Gentlemen are particularly requested not to miscarve the joints.'

"I amused myself with the soup, sipped a little wine, and trifled with the fish. At length I found myself face to face with the enormous sirloin. There was something at least in the rencounter which conveyed the idea of society; and society of any sort is better than absolute solitude.

"I was not long in discovering that the different personages scattered about the room in such an unsocial and misanthropic manner, instead of being collected about the same board, as in France or my own country, and, in the spirit of good fellowship and of boon companions, relieving each other of their mutual ennui, though they did not speak a word to each other, by which they might hereafter be compromised and socially ruined, by discovering that they had made the acquaintance of an individual several grades below them in the scale of rank, or haply as disagreeably undeceived by the abstraction of a pocket-book, still kept up a certain interchange of sentiment, by occasional glances and mutual observation. Man, after all, is by nature gregarious and social; and though the extreme limit to which civilisation has attained in this highly artificial country may have instructed people how to meet together in public places of this description without intermixture of classes or mutual contamination, yet they cannot, for the life of them, be wholly indifferent to each other. Though there was no interchange of sentiments by words then, yet there was no want of mutual observation, sedulously concealed indeed, but still revealing itself in a range of the eye, as if to ask a question of the clock, and in furtive glances over a book or a newspaper.

"In the new predicament in which I was now placed, the sirloin was then exceedingly useful. It formed a most excellent line of defence, an unassailable breastwork, behind which I lay most completely intrenched, and defended at all points from the sharp-shooting of the surrounding observers. The moment I found myself thus intrenched, I began to recover my equanimity, and presently took courage—bearing in mind always the injunction of the bill of fare, not to miscarve the joints—to open an embrasure through the tender loin. Through this I sent my eyes sharp-shooting towards the guests at the other end of the room, and will, if the reader pleases, now furnish him with the result of my observations.

"In the remote corner of the coffee-room sat a party of three. They had finished their dinner, and were sipping their wine. Their conversation was carried on in a loud tone, and ran upon lords and ladies, suits in chancery, crim. con. cases, and marriage settlements. I did not hear the word dollar once; but the grander and nobler expression of thousand pounds occurred perpetually. Moreover, they interlarded their discourse abundantly with foreign reminiscences and French words, coarsely pronounced, and awfully anglicised. I drew the conclusion from this, as well as from certain cant phrases and vulgarisms of expression in the use of their own tongue, such as "regularly done"—"completely floored,"—"split the difference," that they were not the distinguished people of which they laboured to convey the impression.

"In the corner opposite this party of three, who were at the cost of all the conversation of the coffee-room, sat a long-faced, straight-featured individual, with thin hair and whiskers, and a bald head. There was a bluish tinge about his cheek-bones and nose, and he had, on the whole, a somewhat used look. He appeared to be reading a book which he held before him, and which he occasionally put aside to glance at a newspaper that lay on his lap, casting, from time to time, furtive glances over book or newspaper at the colloquial party before him, whose conversation, though he endeavoured to conceal it, evidently occupied him more than his book.

"Halfway down the room, on the same side, sat a very tall, rosy young man, of six-and-twenty or more; he was sleek, fair-faced, with auburn hair, and, on the whole, decidedly handsome, though his appearance could not be qualified as distinguished. He sat quietly and contentedly, with an air of the most thoroughly vacant bonhomme, never moving limb or muscle, except when, from time to time, he lifted to his mouth a fragment of thin biscuit, or replenished his glass from the decanter of black-looking wine beside him. I fancied, from his air of excellent health, that he must be a country gentleman, whose luxuriant growth had been nurtured at a distance from the gloom and condensation of cities. I could not determine whether his perfect air of quiescence and repose were the effect of consummate breeding, or simply a negative quality, and that he was not sidgety only because troubled by no thoughts, no ideas, and no sensations.

"There was only one table between his and mine. It was occupied by a tall, thin, dignified-looking man, with a very grave and noble cast of countenance. I was more pleased with him than with any other in the room, from the quiet, musing, self-forgetfulness of his air, and the mild and civil manner in which he addressed the servants. These were only two in number, though a dozen or more tables were spread around, each capable of seating four persons. They were well-dressed, decent-looking men, who came and went quickly, yet quietly, and without confusion, at each call for George or Thomas. The patience of the

guests seemed unbounded, and the object of each to destroy as much time as possible. The scene, dull as it was, furnished a most favourable contrast to that which is exhibited at the ordinaries of our great inns, or in the saloons of our magnificent steamers."

After all, we know not where the traveller can find so much real comfort in a hotel, as in England. No where else are there such attentive and noiseless servants, such all-pervading cleanliness. A coffee-room, with its scattered diners, may look unsocial, and even misanthropic; and a French table-d'hôte may be more lively and equally agreeable, but we most solemnly protest against any comparison in favour of our own style of hotel dining. Whoever has traveled in the United States, will remember the horrors of a public table; the anxious crowd around the bolted door; the rush to the table; the seizing and quick despatch of food; the impossibility of a clean plate, or of the services of a domestic. Then the misery of having to hurry from the pleasantest engagement in the world at the dinner hour, certain, that if twenty minutes have elapsed since the gong or bell sounded, the dinner has elapsed with it. This is no exaggeration; and although in our cities a private table is no longer unattainable, the general custom is as we describe it.

The comforts of traveling in England, *maugre* the expense, are very great. The ease of locomotion, the facility of making long or short journeys, as is wished, the minute punctuality, the speed, and the certainty of good accommodation, all render it an elysium to the tourist. Instead of lumbering along in a diligence, or still more slowly, in a "vettura," you fly over the ground, drawn by fleet and well-groomed horses, at the rate of from ten to twelve miles an hour, with a motion scarcely less easy than that of a cradle. The coach stops, you descend at a hotel; the waiter receives you at the door; the chamber maid stands in the entry to conduct you to a chamber, "Boots" following with your luggage. There you find carpets and comforts; above all, that greatest of luxuries to a traveller, a well-arranged and perfect washing apparatus, foot-bath, towels, &c. When you descend to dinner, you do not find persons ready to start a political discussion with you, nor the luxurious profusion of the French "carte;" but you do find a neat table, a complete service, and your meal when you choose, be it early or late, and under no risk of an indigestion from haste. In France the thing may admit a comparison. At Meurice's, "par exemple," one dines like a king, with courses and servants, and even conversation, provided that he does not sit next to a newly landed "Anglais."

Much may be said on the unsociability of the English. It is true that their manner is cold and haughty, and perhaps

especially of those who wish to show in it what nature has denied them in their birth. Our tourist meets a remarkable instance of civility, on board the steamer, between Rye and Portsmouth. As often as it has been our lot to sit on or in a stage coach, we never heard any thing like a conversation thereon or therein; occasionally a gleam of intercourse will show itself in a remark about the weather, but generally the four insides and the nine outsides sit in silence, muffled in their cloaks, as if Niobe's fate had fallen on them. Nor can we absolve our own countrymen from the blame of repulsiveness when abroad. Brooks relates, in one of his late letters, an amusing incident of his having offended an American by not mistaking him for an Englishman.

The appearance of modern London, as conveying the idea of wealth and magnificence, struck the "American" very forcibly. We have always preferred it to that of any of the continental cities with which we are acquainted. The entrance to Paris, by the Champs Elysées, is fine, and that to Rome, by the Porto del Popolo, imposing; but neither of them has ever excited our imagination as much as the view of Regent Street, and Park, and that from Hyde Park Corner. The happy mixture of stately buildings, of gorgeous terraces, of verdure and of foliage, all combine to heighten the effect. Not but what there are many architectural "niaiseries" in the west end; we allude merely to the effect of the whole. The "American" reflects very justly on the little advantage his countrymen take of the modern construction of their cities, to reserve places and parks for embellishment and healthy recreation. He regrets that we should content ourselves with red brick rows instead of beautiful terraces, and that sameness should have satisfied us where there could be so much variety. We think that the superior beauty of the modern streets of the European cities must be one of the very first impressions of every visiter to the Continent. It is to be regretted that the utilitarian spirit of the age has prevented the full development of taste with us. We have no class who have leisure or inclination for mere amusement: hence the fine arts have languished with us; and we shall be doomed to see elegance generally sacrificed to profit. It is not however too late; we have still abundance of space, and thousands of buildings are yet to be erected: may we not hope that some change will be effected, and that persons will no longer run the risk of entering their neighbours' houses instead of their own, unable, as the Irishman said, to tell "t'other from which." We may yet have parks and places, and not be condemned, when we want exercise, to take it in the dust of the suburbs.

Our American visits the theatres, churches, and institutions

of London. He is shocked at the licentiousness of the former. He descends into the city, and is taken through the Bank, Lloyd's, the Stock Exchange, and goes on 'Change in all its glory. He here sees Rothschild, and as he is one of the lions of the day, we transcribe his picture :

" On reaching the eastern side I was struck with the regal air of a man who was leaning against one of the columns, with his face towards the courtyard, giving audience to a crowd of suppliants. He was a very common-looking person, with heavy features, flabby, pendant lips, and a projecting fish-eye. His figure, which was stout, awkward, and ungainly, was enveloped in the loose folds of an ample surtout. Yet there was something commanding in his air and manner, and the deferential respect which seemed voluntarily rendered to him by those who approached him showed that it was no ordinary person. 'Who is that?' was the natural question. 'The king of the Jews.'

" The persons crowding round were presenting bills of exchange. He would glance for a moment at a paper, return it with an affirmatory nod, and turn to the next individual pressing forward for an audience. Two well-looking young men, with somewhat of an air of dandyism, stood beside him, making memoranda to assist in the recollection of bargains, regulating the whole continental exchange of the day. Even without this assistance he is said to be able to call to mind every bargain that he has made. The most singular stories are told of the business habits of this extraordinary individual, who manœuvres stocks and loans with as much skill, and not always without the same important effect, as Napoleon did armies and artillery. His favourite study is said to be looking over his bills of exchange ; these are his literary pets,—they are both poetry and prose to him : with these he communes by the hour. It is said that he can, on any day, tell without reference every bill that is to fall due. We were delighted to find that he had recovered possession of his favourite column, against which he was standing, and that the intrusive Mr. Rose, on whose conduct there had been much speculation in the newspapers, was nowhere to be seen.

" This astonishing man was formerly the mere agent, at Manchester, of a Jew house in Frankfort, for the purchase of cotton goods. Subsequently he removed to London, and commenced the traffic in exchanges. He was first brought into notice during the war, by transmitting to the Austrian government at Vienna the subsidy furnished by England for carrying on the war. He executed this in a bold manner, at a time when the older bankers declined the task, on account of the agitated condition of continental affairs. After this, he was regularly employed by the government in remitting funds to the British troops in the Peninsula and elsewhere ; this he was always able to do promptly, by rallying around him all his Jew brethren throughout the continent. Of these he may now be esteemed the king ; unless, indeed, his title to royal honours should be disputed by our clever and facetious high-priest, who not long since conceived the project of uniting the scattered tribes on the new Ararat of Lake Erie, and, robed like Melchisedek of old, enacted such a delectable farce within hearing of the roar of Niagara.

" The chief origin of the present enormous fortune of this individual was his purchasing largely in the funds of all the old established powers, towards the close of the French war and Napoleon's career. He went into these stocks as deep as he was able, buying extensively, then raising money on what he had bought, and still going on to buy more. By the

skilful combination of his plans, and the rapidity of his communications and means of receiving intelligence, he contrived to learn the result of the battle of Waterloo ten hours before it was known even at the Horse-guards. The possession of such exclusive information, of course, was turned to account by extensive purchases. As he anticipated, and no doubt owing, in some measure, to his own speculations, the funds went up astonishingly at the peace, and he found himself enormously enriched. The traffic in stocks and exchanges, in which he can always make good bargains, being able to raise or depress prices slightly at his pleasure, and the contract for loans, have tended, and still daily tend, to augment this colossal fortune. He can always take loans on more favourable terms than any one else. Having received orders for certain portions of any given stock from various bankers, he takes a loan and divides it, reserving a portion for himself, and clearing the premium, which he receives as a bonus for making the contract. By this means he obviates any unfavourable reaction on the stocks of which he is already a holder, and which would have been depressed by a loan being taken at a low rate.

"This individual may be looked on as in a peculiar manner the banker of established governments and of the Holy Alliance. War in any shape, and liberal crusades especially, embarrassing national finances, and possibly attacking the inviolability of debts contracted for the support of prescriptive right and the subjugation of the people, are not what he desires. He has never had any thing to do with the South American republics, nor with the mining speculations within their territory, for which he is, of course, all the richer. Latterly, he has learned to distinguish between republics, and to believe that there may be such a thing as a stable one. He has turned his eyes to the only one of the great nations of the world whose government has undergone no change whatever, in the letter or in the spirit, during the last half century of struggles and bloodshed. He has seen a people including no antagonist classes, no aristocracy holding in the same hand the wealth with the power of the country, no child of labour chained for ever hopelessly to the oar, and denied all beyond the bare pittance necessary to perpetuate that existence whose energies are to be devoted to the service of his task-master. There labour cherishes no hostility, no deadly purpose of revenge: there it loses no time in repining at its lot, pauses not to complain, but, armed with courage, and secure of its reward, puts forth its energies and grasps wealth. In that country the government has already quietly assumed the form and fashion to which all others tend inevitably through struggles, convulsions and blood, being already in the hands of a democracy, from whom none have the means of withdrawing it. It reposes upon the broad foundation of a whole people, unhappily, though through no fault of ours, disfigured in some portions of our vast territory by the existence of slavery, and the presence of a distinct race unsusceptible of amalgamation; elsewhere polluted by an inundating emigration, bringing us the degraded materials of the worn-out monarchies of Europe; yet, in the aggregate, intelligent, moral, cognisant at once of their powers, their privileges, and the means necessary to preserve them.

"This man has had the discernment to discover that our securities are the soundest in the world; reposing upon the existence of governments which alone present no immediate prospect of change, and the guarantee of gigantic and unexhausted resources,—upon British enterprise and British probity, transplanted to more fertile shores,—and on British liberty, intrusted not alone to the guardianship of property and a

privileged few, but made the birthright of all. He has recently taken a loan of one of the most flourishing states: has an agent in America, and is likely soon to have a member of his family there. Moreover, he and our great sachem have recently taken each other by the hand, and he is now our financial agent. It is said that these distinctions are very delightful to him. He glories in being the financial representative of all the great powers at this the capital of the moneyed world. He has declined the offer of a title from a sovereign prince, having the good sense to see that, as a noble, he would be contemptible; while, as a banker and a capitalist, he stands alone and unapproached, respected and honoured alike by kings and presidents.

"I looked at this individual with no little interest. Men without talents sometimes grow rich by economy, and by hoarding whatever they lay their hands on,—by keeping close pent within their pockets every sixpence which finds its way there. But a man who, rising from obscurity, is able, by force of mind and character, boldly and successfully to carve out for himself a great career, and make himself of importance to states and sovereigns, must be one of no ordinary character. Greatness is not confined to any particular sphere; it is various and multiform in its mode of exhibiting itself; and Rothschild may well lay claim to be as great among money-bags, as Napoleon was at the head of armies."

We heartily rejoice that Rothschild has such a good opinion of us and of our government. But we fear our friend leaps too hastily to conclusions. No one can deny that our government has undergone vast changes in its spirit, and that it has become infinitely more democratic since its foundation. From the time of Jefferson to this very hour, the power of the people has been leaving the hands of its constitutionally delegated holders, and returning to its owners. How many of the states are now making the most dangerous of all experiments, that of an elective judiciary; and how strong is the tendency in that direction, in those where it yet remains to be tried. What has been the fate of the strong federation of the Union? it sank with its originators. We need not mince the matter: we are daring every thing, heedless, it would seem, of consequences. That fewer evils have resulted, arises from the fact, that the government interferes so little with the governed. We have no antagonist classes yet, but every demagogue who spouts from a stump, endeavours to excite a feeling against the rich. The poor against the rich is a frequent cry. We are rushing headlong to the utmost verge of democracy, to be arrested in our course, perhaps, by lawless power. That the many can be as despotic as one, seems to be still an unlearned lesson.

The Tower, the Tunnel, the Courts, are in turn commented upon. The Park scene on a Sunday, is the theme of some observations upon the dulness of the English in their places of amusement, "where the crowd seemed to have come forth, not in search of joy, but to parade its ennui,—no one seemed to know another, and there was no gay interchange of sprightly recognition. It was, however, in November,—the

suicidal month. His description of a wet day in that month is excellent.

A meeting of operatives, called together by Owen, is then visited by the "American." Here he finds the usual concomitants of such assemblies; scents, speeches, and sedition.

The poor of England are frequently spoken of as being particularly debased and oppressed. If they are so, and we do not dispute the fact, why is it? Not, we think, because of the despotism of the property-holders, as is so boldly asserted. Let our American remember, that the poor rates, which are so celebrated as erroneous, and onerous, fall almost exclusively on the property-holders. The cause of the lowness and insufficiency of wages, is the number of operatives, the huge population of the lower classes; and this is traced by political economists to the kindly meant but mistaken solicitude of these abused rich, to provide for the sustenance of mechanics and labourers at a time when wages suddenly fell. It was then that the "*allowance*" system was put into operation, which, in making up to the poor man the difference between his wages and his wants, increased his pay in proportion to his family; thus removing one of the checks on population, and actually paying a premium on children. The population from that moment increased enormously, and the error was perpetuated. If a person with a family was supported, how much better was it for every one to marry and have a family, than to work! The able bodied mechanic, now a pauper, with his six or ten children, was paid twenty times more than a decrepid or childless one. It was considered, says Bulwer, a very good speculation, to marry a lady with one or two pledges of love. Hence support, thence idleness, thence crime. All this unfortunate charity was done by the property-holders; and though in so doing they have brought such a curse on the greater part of their country, as that a person is better maintained in a workhouse than in a workshop, provided he has been improvident enough to have a large family, it is not therefore to be said that all this was oppression. Legislative interference has begun to be felt in these matters, for the better; brought about, too, by these very same rich people.

There are some sets off, also, to this universal pauperism. The better operatives are highly paid. It has come to our personal knowledge, that in Sheffield, for instance, the polishers make enough in three days, to be able to spend the rest of the week in idleness, and generally in drunkenness. This is no pleasant result of high wages. Daily instances, too, occur of the rise of wealthy and distinguished people, from the very poorest classes.

Nor do these "cruel rich" escape altogether. Do they enjoy

a single luxury, without being taxed for it? If they eat, their food is taxed; drink, their wines are taxed; are waited upon, their domestics are taxed; ride, their coaches are taxed; look out, their windows are taxed. And all this, besides supporting these very poor, and being called upon for charity in every shape. A man, says an intelligent writer, may have himself and his family nursed, clothed, fed, educated, established, physicked, and buried, *for nothing*, in England.

Our American feels happy that we are better off. We are so, no thanks to ourselves. Is our system of poor rates and laws any better? We are free to say that they are only less liable to objection than the English, because, owing to the state of our country, their influence is not so much felt. We have started with the same errors. We build palaces for the poor, and invite them to inhabit there; we tax all who are above going into them, to support those who are not above it. Luckily, wages are so high, and population so sparse, that there still remains an inducement for the labourer to keep out of the alms-house, although our wise legislators are giving them every inducement to come in. Public charities, as long as they are confined to those unable to provide for themselves, are all very well; but when they invite persons to come and be fed, and come and be clothed, they take away inducements to labour, promote idleness and crime, and at length transfer the happy pauper from their protecting arms to the jail.

Well, the people of England are become alive to their position. There is no rebellion, said Lord Bacon, like that of the belly. Already has the ball begun to move, which we fear may become the car of Juggernaut to its propellers. Already has dread reform waved her weapons over the wealthy. Yet, while we cannot gainsay that the abuses are many and vast, we fear and tremble for the result. But we digress.

Our American, in consequence of indisposition, is obliged to retire from the city, and pass some time at Islington. He here presents us with a new and well-drawn picture of suburban life, which we must give our readers. It puts us in mind of Geoffrey Crayon.

"In these my rambles over Islington and its pretty neighbourhood, I made some remarks for myself, and was assisted to others by the maturer observation of my friend, concerning the habits and manners of the inhabitants of this region, which excited my curiosity and tended to amuse me. It seems that it is inhabited almost entirely by retired tradespeople; a general phrase, which includes almost every one in this country below the dignity of a gentleman, or man living without occupation on his means, and on the labours of his ancestors. People engaged in business here have a sufficiently general practice, which it were well that we imitated in America, of realising their property the moment they have secured a competence, and, investing it in some safe and con-

venient way, so as to yield them a moderate interest, retiring either to the country or to some suburban situation, where they may compass the luxury of a garden-spot, there to pass the evening of their days in tranquillity. In the neighbourhood of Islington there are many pretty and modest villas thus inhabited, and in the town itself frequent ranges of dwellings, called places or terraces, which are constructed on a uniform design, frequently standing back from the road, and having verandas in front, with a common garden laid out for the resort of the inmates. These houses, though mostly unpainted and of a gloomy hue without, gave evidence within of great neatness and comfort. The windows were tastefully curtained, having blinds to obstruct the gaze of passers in the street, or else the same effect more tastefully produced by means of shrubs and flowers, amid which hung the frequent prison-house of lark or canary.

"Some of these retired citizens keep lumbering carriages, covered with heavy armorial bearings. Here there are no equipages with simple ciphers, or without arms of some sort, which are generally largely and glaringly painted, and conspicuous in the inverse ratio of the established dignity of the aspirant. One of the earliest uses that is made of wealth is to pay a handsome fee to a herald, for the contrivance of an elegant coat of arms.

"There is one thing, however, in which they evince more sense than we do; that is, in never setting up a coach until their fortune entitles them to do so. Each graduates his expenses nicely to his means; if they do not justify the extravagance of a pair, he contents himself with an enormous fly, a species of close carriage, drawn by one horse, and of which two horses would stand in awe over our rugged pavements. Others rejoice in the possession of a huge phaeton, capable of containing the entire household, which is drawn by a single family horse, a meek-spirited jade, which jogs along with a millhorse perseverance—an air of motiveless and heartless dulness, in happy accordance with the heavy, stupid looks of the group which he drags after him. Here and there antiquated cobs, which in their younger days had carried their impatient masters to the scene of money-making in a twinkling, now crept over the ground calmly, contrasting singularly with the rapid movements of the young traders, the sons probably of the former in many instances, who, starting in life on their own account, seemed to be full of motive, and as greedy to gain time as the others were anxious to consume it.

"Those, indeed, who had achieved the competence which had been the cherished object of their hopes, seemed to be far more miserable than those who were in pursuit of it. The retired trader was ever ready to pull up his equally willing steed, which had learned, by long practice, to adapt itself to the habits of its master, to talk with some equally time-ridden worthy of trade and the stocks. Others lounged at the corners, or before their doors, speaking in monosyllables or speaking not at all, and gazing with vacant and envious stare upon the passing whirl of the busier population. It was difficult, indeed, to imagine people more evidently at loss and out of tune. The retirement and competence which they had sighed for through the earlier years of a busy life, seemed to have become, by robbing them of their occupation, the source of their misery.

"Perhaps the morning with its freshness of sensations, physical and moral, agreeably ministered to by breakfast, and the newspaper, which circulated from house to house at the cheap rate of a shilling a week, was the season in their existence freest from corroding ennui, and coming nearest to a negative something that might be called happiness.

The long interval to dinner and the joint, though broken by luncheon and a walk, perchance made in unconscious habit to the crowded region of the city, or in bad weather passed in vacant gaze from the window, was yet, doubtless, to them, one of awful duration. Dinner was succeeded by another fatal pause, until the timely tea resisted in good season the growing drowsiness. The rubber of whist, eked out by dummie, if the smallness of the family circle made his assistance indispensable, gave the mercy-stroke to the day, which finished with them as it began, with a war against time, implacably carried on. Such, as far as I could learn or observe for myself, is the daily picture of the life of the retired citizen of London.

“But perhaps it would be wrong to say that the whole year revolves for them in joyless and unbroken monotony. One should at least except the annual visit to the theatre, to see the king and queen at the play, when is presented the singular spectacle of an immense house, crowded with living masses from pit to gallery, with two people looking at the entertainment, and all the rest looking at them. It is on this occasion, more than any other, that they nourish that sentiment of loyalty which is natural to every English bosom, and which, evincing itself in love and veneration to one individual, is yet, though perhaps unknown to him who feels it, only a concentration of patriotism, an ardent love of country, fixing itself on the man who represents its sovereignty, and who is, as it were, only England itself personified. When an Englishman listens with rapture to that noble anthem,—‘God save the King,’ it is not attachment to a bloated profligate such as George IV., that animates and lifts him to the clouds, but rather the thought of England, with her greatness and her triumphs, which kindles the glow at his heart.

“This is the citizens’ jubilee,—this their annual holiday,—purchased by the endurance of a year made up of monotonous days, succeeded by nights yet more monotonous. They would die, as they doubtless often do, of apathy, were it not for the abiding excitement kept alive by the perpetual dread of being robbed and murdered, and the interest derived from their nightly precautions against such a consummation; from bolting and chaining the doors, seeing the window bells set in a condition to sound should a thief attempt to break in and steal, and taking good care that the rattle is in readiness by the bedside, to spring suddenly, if necessary, at the window, and bring the assistance of the watch. Such a life must necessarily produce singular and unbounded eccentricity of character, and would, if studied, furnish the oddest and most varied subjects to the dramatist. It begets, in many cases, disease of both mind and body, inducing every species of hypochondria, and leading to the swallowing of the thousand pills and philtres which are the prevailing taste of the land, until at length the fear of dying drives them to self-slaughter.

“It has often been said that a great city is a great solitude. Of none is this so entirely true as of London; for the dread of intercourse, and the fear of contamination, must act either upwards or downwards in the case of every one, where the grades and classes are as numerous as the individuals, each of whom comes armed to the conflict with his separate and peculiar pretensions. The evils that result from this life of isolation, are unbounded. It must not only be productive of much misery, but of vice also. The young women, returning from the boarding-school with such lessons of virtue as they may have learned there, pass their time in a corroding solitude, the prey of that ill-nature which develops itself in families that are strangers to the checks of social intercourse and observation. Meantime they continue their daily walks to

the nearest circulating library, and come home charged with novels and romances, which, instead of strengthening and giving a healthy tone to the mind, fill it with artificial notions and preposterous views of life, which there is no real observation of the world to disprove and counter-act, thus delivering it up to false and fanciful day-dreams and unreal reveries. With little opportunity, in the well-nigh total absence of social intercourse, of forming a virtuous and well-judged attachment, they must be content, in general, to take such husbands as Providence may send them; and without the enlightening and guiding advantage of public opinion, which in society assigns to each pretender his proper position, must be content to choose at hazard, with the obvious risk of falling into the hands of adventurers and sharpers.

“Of all the various classes of people in England, these retired citizens are they who would gain most by emigration to America. Any of those who live obscurely and humbly in Islington, might lead a life of elegance and luxury on the noble banks of the Hudson. There, in a healthful climate, strangers to all noxious exhalations, and in the presence of whatever is beautiful or grand in natural scenery, one of these men might, for the sum of five thousand pounds, become possessor of an estate of three or four hundred acres, capable, by tolerable cultivation, of rendering an interest of six or eight per cent. upon the purchase-money.”

Our traveller does not extend his observation to the country of England, if we except a few remarks in the course of his ride to Brighton. This we regret. Of all the nations of the world, England is pre-eminent in the charms of her country life. In every phase of it, from baronial castles down to cottages, it is perfect of its kind. The strong wish of the people is, to be able to reside in the country; and all that art and luxury have or can devise for its embellishment, has been put into operation. “If there be any thing,” says our writer, “that I covet for my countrymen, it is the sweetly rural tastes of the children of this land.” “It is, therefore, that I wish to see cherished among us, tastes calculated to develope virtues so essentially republican. And if I were now to seek for generous and honourable feelings in my country, it would not be among the crowds who congregate in cities about gilded liberty-caps, to shout their anathemas against the sovereignty of the people, but rather among our honest and native-born yeomanry, at once the cultivators and proprietors of the soil, who constitute the best safeguard of the sacred rights of property, and of American liberty.” This conclusion is of a very clap-trap order. We do not see exactly why one of the above mentioned city crowd, who happened to own a house or a mortgage, should not be as anxious to protect his property, as if he was a cultivator of the soil. Interest, we take it, is the main-spring of human actions, and the great conservative principle, and not rural tastes and country air.

After a visit to the Pavilion, and seeing a hurdle-race at Brighton, ennui drives our “American” back to London, in

time for the Christmas festival. He goes to the two great theatres on Christmas eve, and in both places finds the audience most disgusting. Let no Mrs. Trollope, hereafter, talk against ours:—"In the places of inferior price, the occupants were sitting in their shirt-sleeves, their coats hanging down before the boxes, and sometimes falling; bottles were passing from mouth to mouth, while immediately below me, sat two ruffians with their sweethearts, who, in addition to their bottle of gin, had a glass to drink it from, either because their tastes were more scrupulous, or because they had an eye to the just distribution of their 'lush.' One of them, who had but half a nose, kept his arms about the neck of his greasy partner, and indulged in open dalliance, in which, indeed, he was supported by the example of many others, in the face of the audience." The shocking debaucheries of the season are forcibly depicted, and a strong comparison drawn between them and the celebration of a similar festival witnessed at Mahon.

Did our limits permit, we would gladly give some extracts from the American's description of Westminster Abbey, the Poet's Corner, and the "den of a great publishing lion," in London. But for these, and many equally interesting passages, we must refer our readers to the book itself.

A sudden call to become bearer of despatches to Spain, causes our "American" to leave England abruptly, though apparently nothing loth.

In a postscript, he states that he returned some months subsequently to the period to which this work relates, and traveled with far greater gratification than on his first visit. We regret that the causes he mentions should have deterred him from the publication of these subsequent observations, which he might have so far generalised, we think, as to have avoided the stigma of exposing the privacy of families, or infringing the laws of propriety. He states, *en passant*, his intention of giving to the public a work on Ireland, to the appearance of which we look forward with interest.

ART. XI.—CONSTITUTIONAL REFORM.

An Act to provide for calling a Convention, with Limited Powers.
Passed April 14th, 1835. Pamphlet Laws of Pennsylvania;
1834–35: p. 270.

The benefits and injuries resulting from political establishments are so constantly and vividly portrayed in the condition of mankind, that attempts to change their organisation, form fruitful themes for comment and reflection. In every path of life government is felt; over every pursuit of man it exercises a control; and every right that is dear to him is, directly or indirectly, affected either by its beneficent, parental care, or by the blighting influence of its despotic power. Whilst governments are undoubtedly indebted to the character of the communities in which they originate, for many of their most prominent features, it is equally true, that they exercise a strong influence on society, and are, in themselves, prominent causes of its vigorous growth or premature decay. Governments radically bad cannot be too soon subverted, unless the certainty of anarchy renders despotic power a more desirable condition.

Frequent changes in governments which are substantially good, are always detrimental to the state. Their nature, the purposes for which they are designed, and the immense interests involved in their successful operation, render durability one of their most valuable properties. To subvert them, through mere capriciousness, or to alter even their less essential attributes from a mere love of novelty, will inflict a blow upon society, the pernicious effects of which may survive the memory of their assailants. History traces their career and perpetuates the records of their existence. Their establishment or subversion may be the cause of exultation or of sorrow for centuries. Hence the gratitude of mankind to the founders of free governments, and the execration which has been bequeathed, from generation to generation, on all who have participated in their overthrow.

A system, theoretically defective, may operate beneficially on a people, to whom custom has endeared it; whilst one apparently of a superior formation may be highly oppressive to those who are unused to its burthens, and incapable of conforming to its most admirable regulations. It is therefore not merely important that a government should be excellent in itself, but it must be adapted to the condition, and congenial to the habits, of the people. Difficulties which prevail when a new system is introduced, are often obviated by custom.—Changes in government have been accomplished in this coun-

try, without the disorganisation of society which is produced in other nations. The first to found governments by the peaceable exercise of the popular will, and by the deliberative wisdom of the representatives of the people, in conventions organised for that purpose, the Americans have exercised a power of self-government which, if judiciously directed, must conduce to their welfare. Indiscretion may essentially impair the bright prospect before them. Success has inspired confidence in their capacity, and the danger that threatens them is that they may be deluded by the love of experiments, and disturb the permanency of their prosperous condition. Systems so fleeting as to be affected by every breath of popular displeasure, must fail to acquire the confidence of the people. There is no form of government that stands more in need of the strong support derived from habitual respect and veneration than the republican. It is a substitute for military power in other political systems. If a republic be not sustained by the affections of the people, its stronghold is shaken. It is apparent that with changes constantly in view, untried expedients will captivate the hearts of the people, and sap the foundation of the most valuable institutions. The states have heretofore found ample protection in the stability and wisdom of the Federal Constitution. Under its broad and sheltering panoply, they have been secure from violent and perilous commotions, and the formation of state constitutions has been attended with but little apparent evil. What may have been the local benefits resulting from them, it is impossible to determine without a close scrutiny into the peculiar condition of each community, and a careful observation of their practical operation in each particular case. The danger of encouraging a spirit of innovation should be carefully avoided, as one of the most formidable which can assail a republic. The facility with which constitutions are made in this country should be attended with a corresponding watchfulness, lest, in the desire after fancied improvements, the foundation of our free institutions should be undermined and destroyed.

Whilst, however, frequent changes should be avoided, and fluctuations firmly resisted, necessary alterations should not be too long retarded, nor a resistance to expedient modifications persisted in, by which revolutions and other disasters are produced. There is a wise medium between the spirit of innovation, by which governments are rendered unsteady and deprived of the stability essential to their operation, and a foolish adherence to error, merely on account of its antiquity or from a fear of change. To avoid these evils, every constitution should contain a provision, regulating the manner in which it should be altered. By rendering the rash or indiscreet

use of this power difficult, and by investing it with an imposing solemnity, changes may be effected in parts of the system without subverting the whole of it, and without materially affecting the stability of the government. The greater number of revolutions proceed from the growth of abuses, until they become no longer tolerable, when the impulse which produces resistance, being uncontrollable, involves the nation in anarchy and sanguinary commotions. In this country abuses can hardly be carried so far as to require revolutions for their redress. Familiar with self-government, the people exercise the power which they possess, of remodeling their constitutions. The constitution yields to the popular will, which renders it of vital importance that a mode should be fixed, by which public opinion can be deliberately formed and its expression distinctly understood.

Unfortunately, the constitution of Pennsylvania contains no provision for its alteration, by which amendments can be made in the parts requiring them, without throwing the whole instrument open to discussion. Had such a regulation existed, the precise points for consideration would be presented to our view, and we should not have been in our present situation, without the means of ascertaining to what extent attempts will be made to remodel the system. Great dissatisfaction has for many years existed with regard to some of its powers, but in the determination to submit it to a convention, the various opinions have become so mingled and confounded, that it would be impracticable, if it were requisite, to ascertain the motives which have swayed the people in their decision. Some are in favour of a convention in hopes of procuring one alteration, some another, so that it is the union of opinions, adverse upon all subjects except the desire of a change, that has, finally, after the exertions of many years, produced the present result. It ought, however, to be remarked, that for a long time an opinion has prevailed, perhaps among a large majority of the people, that the patronage of the executive is too extensive, and it is probable that nothing has prevented an alteration of the constitution in that respect, but the well founded apprehension, that advantage would be taken of the opportunity, to subvert some valuable regulations which it contains. Its revision has undoubtedly been procrastinated by the want of a proper mode of making amendments. The period has at length arrived, when all who desire a change, although essentially differing as to what it shall be, have united their strength. After an existence of forty-five years, the constitution of Pennsylvania is to be laid in the political workshop, to be remodeled by the artificers who may chance to be selected for that purpose. The convention will be unshackled by any supposed expression

of public opinion, upon the nature of the amendments to be proposed. If the right were claimed to instruct the members, the difficulty of ascertaining the sentiments of the people in any other manner than by their consent or refusal to sanction the proceedings of the convention, in the manner pointed out by act of assembly, would prevent its operation. The delegates will, it is hoped, approach the subject with the calmness and deliberation which its importance demands. Any attempt to connect it with party controversies must have a pernicious effect. Deeply affecting the welfare of the whole commonwealth, and of generations to come, local and temporary feelings and interests should yield to more extensive considerations and nobler views.

The act of assembly of the 14th of April, 1835, provides for "ascertaining the sense of the citizens of this commonwealth, on the expediency of calling a convention of delegates, to be elected by the people, with authority to submit amendments of the state constitution to a vote of the people, for their ratification or rejection, and with no other or greater powers whatsoever." The people at the last election decided in favour of calling the convention. Although the powers of the convention are said to be limited, yet it is apparent that they are in no other manner restricted, than by the reservation of the right to the people of rejecting the amendments which may be proposed. This certainly is an important provision, and one which, although not entirely satisfactory, may guard against much mischief. The convention will no doubt see the propriety of providing a mode by which amendments can in future be made, without giving the wide scope for cavil which is now possessed. This, as was before suggested, can advantageously be done by designating, in the act of assembly submitting to the people the question whether a convention shall be called, the sections of the constitution to be proposed for consideration. Clauses in the constitution relating to the whole or a part of the executive powers, the organisation of the judiciary, the official tenure, the organisation of either the senate or house of representatives, the election or duration in office of justices of the peace, the pardoning power, or any other branches of the constitution, might be designated by the assembly as fit subjects for the consideration of a convention. The sense of the people might thus be obtained, whether a convention should be assembled to consider the expediency of revising any part of the constitution, without placing the whole in jeopardy. The concurrence of two thirds of each branch of the legislature should be required to the passage of any law, designed to throw the constitution or any part of it open to investigation. If the difficulty of obtaining two thirds be alleged, it should be taken into consi-

deration, that the subject is one of vast importance, and that no attempt to change the fundamental law, solemnly ratified, should be encouraged, without a very decided expression of public opinion on the expediency of submitting it to the people for examination.

The present plan of submitting the amendments to the people for their confirmation, may guard against violent and improbable abuses of their power by the convention, but it does not essentially aid in producing a satisfactory result. The people must accept or reject the amendments as they are presented to them. It will be then too late for modification. The popularity of a part may secure the adoption of the whole, even when the wisdom of such a course may be questionable. Besides, in the consideration of them, other subjects may be involved, calculated to inflame or delude the public mind. Party spirit, that bane of republics, may exercise a powerful sway in wielding the right of suffrage. It is therefore important, on all future occasions, to secure the right of amendment in such a manner that the constitution may be shielded from improper innovations, and the objectionable parts of it alone be presented to the consideration of the people. This can readily be done, without declaring in advance what the amendment should be, or, by forestalling public opinion, restrict the convention from the fullest enquiry, or the most extensive opportunity of framing such clauses to be afterwards submitted to the people, as their wisdom may ascertain to be correct. Our present contests are of a peaceful character. But it is impossible to determine what will be the condition of the community a very few years hence. The growth of the state in wealth and population is immensely rapid. The convention will be conscious that the constitution, as amended by them, will probably control millions of people. Before another convention shall be assembled, the population will have advanced with gigantic strides. It is therefore of vast importance, that in all that is now done, reference should not merely be had to the existing condition of affairs, but, looking through the vista of time, ample provision should be made for futurity. It is certainly practicable to frame a system of government which will be as well adapted to a population of ten as of two millions. But contingencies cannot be anticipated; man is capricious. Those who come after us may not concur with us in opinion. Alterations may be desired, either from the new light which experience may shed upon the system, or from those mutations in human affairs, which alter the condition and sentiments of men, and require a corresponding change in the powers of government. We know not how many civil commotions may be averted by prescribing a salutary rule with

regard to future amendments, or how extensively the constitution may be shielded from violent assaults or the inroads of error.

The people, when acting in masses, are unfortunately too easily misled by feeling, or imposed upon by the artifices of demagogues. Untried expedients have often more charms for the multitude than sober realities. Sometimes a good system will seem to operate harshly or unjustly, when the grievances proceed from other causes, which no constitutional provision can relieve. The very objectionable clause may be the means of resisting the progress of the injury, or of alleviating the severity of its operation. Levying taxes, for example, may be at the same time the most beneficent, and the most unpopular, act of the government. The credit, the security, and the prosperity of the country, often depend upon its prompt exercise. Yet whilst a public debt, or some other cause for raising money exists, the demagogue may delude the people with the hope of getting rid of their burthens, by the subversion of the constitution. If the simple proposition were made, whether a convention should be called to consider the propriety of revising the constitution, as regards the power to lay taxes, with the avowed object of destroying the power, it is altogether absurd to suppose that a measure which would subvert the government could be adopted. But the very odium produced by the exercise of that power, might be successfully used by the advocates of other amendments in procuring a convention, in which their favourite theories, or interested projects, would acquire force, by seeming to have the support of public opinion. How much more satisfactory would it have been if the act of assembly, submitting the question of convention to the people, had designated the clauses of the constitution proposed for consideration? Whether the legislature possessed authority thus to restrict the subject, it is not now necessary to consider, but it strikes us that the same sovereign power of the people, which can direct a convention to be called to revise the whole, could have limited its authority to the consideration of a part.

The contrary doctrine has, however, been adopted, and it is to be hoped that the convention will make a judicious provision for all future occasions. The peaceable assemblage of the representatives of the people to frame systems of government, is peculiar to our country. We should cherish a proper sense of our happy condition. If we look to other nations, we see similar acts performed either by military power, or attended with sanguinary commotions. The whole government of a free state is subjected to revision with less excitement than that which is produced by the election of a member of the British house of commons. With such an example before us, we

would seem to have no cause to apprehend danger. But a consciousness of security is not unfrequently the prelude to imminent peril, if not to the most serious disasters. No people ever preserved their freedom long, without continual watchfulness. We have seen too many instances of the instability of human affairs, to repose unlimited confidence in any system, however wise, or in any people, however judicious. Commotions have disturbed the peace of society, and the wildest infatuation has sometimes gained the ascendancy in the most rational and best organised communities. Should they arise under less favourable circumstances for the preservation of social order, it is impossible to anticipate the extent to which they may be carried, or the permanent effect which may be produced by the prostration of the powers of the government. The alteration of a constitution is a critical period in the existence of a state. The present calm and deliberate manner in which it is conducted, ought not to deter the convention from making provision for those calamities which sooner or later befall all free states.

It has already been remarked that the executive power of appointment has been the chief source of dissatisfaction. Few, if any officers in this country, have been so extensively clothed with authority. There are conditions in which nations are placed, that require the extensive concentration of powers in the executive for their security. It may become necessary for them to abandon a portion of their local or individual rights, and submit to the numerous abuses and disadvantages of a great central power, that their national independence may be preserved from foreign aggression, and their social peace protected from violation, by desperate internal factions. In such cases, extensive executive patronage may strengthen the government, and enable it, by its immense influence, to wield all the resources of the community for its preservation. The executive then, in a measure, becomes identified with the state, and the love of country becomes synonymous with loyalty to the chieftain who rules it. The contiguity of rival nations requiring constant preparation for hostilities, and rendering peace at all times precarious, is the fruitful source of the increase of executive power. Wherever these causes do not exist, extensive patronage in the executive is detrimental to the public service. By creating a host of dependents, its corrupting influence may affect the morals of the people, and the pure administration of the constitution, if it do not lead to more fatal consequences. The people are perhaps too vigilant and intelligent to justify fears for the cause of freedom, and our rights are too well protected by the federal constitution, to be wantonly assailed; but as we cannot dive into futurity, it is the part of

wisdom to profit by the lessons of history, and in framing a state constitution, to be cautious in creating a vast central power, not necessary for the energetic and faithful administration of the affairs of the commonwealth.

"The governor shall," says the constitution, "appoint all officers whose offices are established by this constitution, or shall be established by law, and whose appointment is not herein otherwise provided for." Sheriffs and coroners are elected by the people, the state treasurer is appointed by the legislature, "and all other officers in the treasury department ;—attorneys at law, election officers, officers relating to taxes, to the poor and highways, constables and other township officers," shall be, says the constitution, "appointed in such manner as is or shall be directed by law." Notwithstanding the exceptions contained in the constitution, there is left in the hands of the governor an immense power—covering the whole of the judiciary, justices of the peace, and various subordinate offices, necessary for the transaction of public business. The power of removal, although not equally great with that of appointment, is sufficiently extensive to give to the executive a vast influence. The judges and justices of the peace may be removed by him, on the address of both houses of the legislature, a majority of two thirds of each branch being requisite for the removal of the former. The secretary of the commonwealth is "appointed and commissioned during the governor's continuance in office, if he shall so long behave himself well." A multitude of other officers are removable at the pleasure of the governor. There are two points connected with the exercise of these powers, deserving of consideration ; the ability of the governor judiciously to execute so extensive an authority, and its influence on the administration of the affairs of the state. With regard to the more prominent stations, such as judges, and officers whose duties concern the whole commonwealth, no officer is more competent to make suitable selections, or whose appointments will be less liable to be influenced by unworthy motives. The candidates for such places are mostly men whose characters and qualifications are extensively known. The intelligence and opportunity of observation possessed by the executive will, in a majority of cases, guard him from deception. That governor will wilfully err, and merit the condemnation which he will receive, who, passing the ranks where talents and intelligence are arrayed before him, shall indulge his personal partiality or interest, by elevating the incompetent to important stations. But to guard against a result so pernicious to the public service, and so degrading to the commonwealth, a check upon the executive power can advantageously be introduced into the constitution. The power of appointment is a delicate

duty, and with every precaution which can be devised, is still liable to great abuses. In whatever quarter it may be deposited, it can never produce entire satisfaction, nor be completely protected from improper administration. Selfishness will sometimes gain the ascendancy; fawning sycophants will surround the depositories of political power; the incense of flattery, the claims of party friendship, and the clouds of misrepresentation, which continually obscure the political atmosphere, are obstacles in the way of a pure and independent administration of public affairs, against which no regulations however wisely framed can entirely guard. This should not however prevent the establishment of a salutary system, which although imperfect, may furnish a strong reliance against the inroads of abuses, and facilitate an escape from their consequences. All that can be accomplished by any constitution will be imperfect, since it must be carried into operation by fallible men, in whom confidence must be reposed. The virtues and intelligence of the people must after all be the bulwarks of any system which can be devised.

There is a natural point of division in offices, which may advantageously be looked to, as affording the means of lessening the accumulation of power in the governor; and that arises from the distinction which apparently exists between state and county officers. There are strong reasons for separating them in regulating the appointing power. There are numerous offices whose functions relate exclusively to the counties, and the appointment to which can appropriately be made, within the sphere in which their duties are to be fulfilled, and where the merits of applicants are known. The extent to which this course should be pursued, depends upon the nature of the offices, and upon the ability of the convention to select or create a suitable appointing power within the counties. A defective arrangement may be the means of substituting new evils for those which are removed. The difficulties which the convention will have to encounter, are duly appreciated. If it succeed in overcoming them, it will confer a lasting benefit on the community, for few subjects of greater importance can occupy its attention. We shall at present confine our attention to the qualifications of the executive. The governor can have but a very limited personal knowledge of the competency of candidates for local offices, and in a large majority of cases must be entirely ignorant of it. His information necessarily proceeds from the representations made by others. As he will naturally repose confidence in his political friends, it is apparent that their recommendations will influence, if they do not entirely control, the appointments. A few partisans in the counties thus actually exercise the appointing power. What

seems to be the act of a highly responsible officer, is in reality the work of irresponsible individuals, destitute of the confidence of the people, and wielding an extensive influence by party management. The motive which induces the appointment is seldom apparent, and unfortunately too many cases occur in which conjecture would assign any other reason as plausible than the merit of the successful candidate.

That the governor is liable to gross imposition, as to the characters and qualifications of applicants for subordinate or local offices, we have unfortunately too many proofs. The means which are taken to procure recommendations from private citizens, have not always been of the most praiseworthy description; and in fact so entirely illusory is this mode of communicating to him the sense of respectable people, who from their localities, and opportunities, are presumed to be competent judges of fitness for office, that this source of information can seldom be relied upon. Papers are circulated, fraught with encomiums upon the incompetent, which are signed by some from a reluctance to disoblige, by others from selfish motives, and by many from deceptive information communicated by those who have enlisted in the service of the aspirant. Sincerity is one of the least of the features of a great majority of these recommendations, however imposing they may appear with a large appendage of respectable names. Their insincerity is perhaps an incurable evil, and the obscurity in which they involve the executive can only be corrected by depositing the power of appointment in those who will from their situation be better able to ascertain the truth. Gross frauds have also been perpetrated. The names of respectable citizens have without their knowledge been annexed to petitions. To what extent, or in what variety of forms, attempts have been made to impose on the governor, it is unnecessary to enquire. His great exposure to deception is sufficient to show the propriety of making a modification of the power of appointment so far as regards local offices, if it be practicable, without incurring other dangers equally to be dreaded. Residing at the seat of government, it is apparent that his opportunities of acquiring information from the numerous and sometimes distant counties, to which his authority extends, and who are vitally interested in the faithful and judicious exercise of it, are very limited. Whilst the mass of the people are occupied with their vocations, and ignorant of the proceedings at the capital, the interested few surround him with their importunity, and offices are distributed without reference either to public opinion or the propriety of the selection. With most patriotic intentions, the governor may be misled. The sentiments of the people reach

him too late to correct the errors into which he is forced by circumstances.

The mere necessity of announcing the proposed appointment, would in many cases guard the executive from making improper selections, and the public from the injury produced by them. Private arrangements, the management of cabals, and the delusive influence of the interested, would in no inconsiderable degree be checked by the condemnation of public opinion. To require the concurrence of the senate, might contribute to preserve this important power from abuse. If, as has been urged, a senatorial check on the power of appointment would render it still more subordinate to party purposes, it would at least lead to an improvement in the mode of party action, by requiring its accomplishment through the instrumentality of an assembly subject to a variety of restraints, instead of the secret influence of a combination of party leaders in the counties and in the legislature, who struggle to maintain their ascendancy by the distribution of the fruits of executive power, as the reward of party subserviency. Whatever might be the private inclination of public functionaries, it appears to us to be evident, that the formal announcement of the candidate, the opportunity furnished for the free discussion of his merits, the uncertainty as to the concurrence of that body in the views of the executive, and the responsibility devolving on each senator in giving his vote, if they did not impair party or selfish considerations, would at least impose on the party which meant to sustain its power, the necessity of requiring a higher grade of qualifications, than when the appointment is made in silence, and the difficulty or impracticability of procuring a change requires acquiescence, and even expressions of approbation, as essential to party discipline. From the nature of the senatorial tenure, it is not probable that that body and the governor would always be of the same party denomination, and thus those revolutions which follow a governor's election would be mitigated in their deleterious influence on the public service. Changes would be more gradual, the fitness of the applicant more closely examined, the influence of public opinion greater, and the probability of official stations being filled with men who would bear the ordeal to which they would be subjected, would be increased. The power of temporary suspension from ministerial offices should be vested in the governor. But the power of removal, for reasonable causes, should only be exercised with the concurrence of the senate. Thus the two-fold benefit would be gained, of preventing injury by the continuance in office of a man who was abusing his trust, and the prevention of the improper use of the power of removal.

Advocates may be found of vesting the power of appointment in the legislature ; a course liable to serious, if not insuperable, objections. Too much caution cannot be observed in diverting the attention of the members of that department of the government from the important duties which are assigned to them. A power so foreign from the ordinary routine of legislative business, would disturb its harmony, and produce the most injurious effects. Procuring appointments for political and personal friends, would become the primary object of the representatives, and the legitimate objects of legislation would be subservient to more exciting and selfish considerations. The responsibility, by being so extensively divided, would cease to be a check upon the improper use of the power. Bargains between members from different sections of the state would supersede the independent and unbiassed operation of judgment. The motives which dictated the appointments would be screened from observation by the secret-keeping ballot-box, or the plausibility which would invent an apology for a *viva voce* vote. The illustration derived from the appointment of commissioners for the sale of stock, and the organisation of corporations, affords no encouragement to making the legislature the depository of the power of appointment on an extensive scale. Even by the necessary and highly important duty enjoined by the constitution of the United States, of electing senators, where no pecuniary interest exerts an influence, and when citizens of elevated character are from the nature of the station brought forward, the ordinary business of the session is affected, sometimes to the detriment of other duties. A legislative assembly possesses no peculiar fitness for making selections for office ; to confer on it the power would be to impair its usefulness, and involve it in intrigue ; as the senate, in acting on the nominations of the governor, would be confined to the simple act of adoption or rejection, and to the investigations essential to the performance of that duty, it would not be liable to these objections. The unqualified power of the executive in making appointments, has made that office the prize of party victory. There can be no doubt but that a great portion of the excitement which has attended the gubernatorial elections, has proceeded from that cause.

In reviewing the party contests which have agitated this commonwealth, it is not possible to avoid condemning the undue excitement which the selfishness and intrigues of partisans have produced. But in censuring the artifices which have been resorted to, to inflame and mislead the people, and in regretting the violence which has been sometimes displayed, we should be cautious against running to the other extreme. Supine indifference is more pernicious than the most formidable

excitement. An election should habitually arouse the attention and warm the hearts of the people. In difference to the result is a state of peril. The interest which is felt in the governor's election, brings the great mass of the people, as it were, in consultation on their condition, diffuses knowledge of the character, opinions, and feelings of the community, widens the sphere of intelligence, and animates the whole body politic with one spirit. To strip the executive of its authority, would destroy the interest that is felt in it, and would probably be the means of rendering it still more liable to be filled with inferior men, without the power to do good, and capable, on a critical emergency, of doing much mischief. A proper medium between an immense patronage, productive of no salutary effects on society, and which cannot be faithfully used, and an inert, lifeless, unenviable office, in which a man of genius might be tempted to mischief to keep himself employed, and a fool would be elevated as a burthen and disgrace to the state, would make that necessarily important station, of greater honour and benefit to the commonwealth. The time is rapidly approaching, when the wealth and population of Pennsylvania will render the distribution of political powers of intense interest and importance. In contemplating her fertile valleys, and mountains teeming with mineral wealth, we are naturally led to anticipate the arrival of the period when her population will amount to several millions. The prize of office will not then be less eagerly sought after; elections will increase in interest, perhaps in turbulence; and the purity, patriotism, and wisdom of her councils will be greatly aided, and perhaps may depend, to a great extent, on that division of powers by which her public functionaries will be invested with all proper authority, without a concentration of power which may render them dangerous to the peace and safety of society.

It is not probable that any serious attempt will be made to alter the term of the executive office. Three years are certainly not too long, when the nature of the duties and the importance of the station are considered. A shorter term would not merely embroil the community in elections of frequent recurrence and productive of no public benefit, but it would prevent the acquisition of the experience and the familiarity with its duties essential to their proper performance, and would deter men of the requisite qualifications from leaving their other vocations, to accept a station in which they could acquire no honour for themselves nor render the public any essential service. The immense interests requiring the constant superintendence of an executive, would materially suffer by frequent changes in that department, and it is impossible to

anticipate the mischief which might be produced by making the maintenance of his post the chief object of attention.

The power possessed by the governor, of appointing "a competent number of justices of the peace," is too prominent a source of evil to be overlooked by the convention. Their number should of course be fixed by law, and no longer left at the arbitrary pleasure of one man. Whether they should be appointed by a competent authority in the counties, or by the governor, with the consent of the senate, is worthy of the most serious consideration. The present almost unlimited power of the executive is fraught with the most mischievous consequences. Few stations are of more vital importance to the community; as conservators of the public peace, the order of society, the detection of crime, and the purity of public morals, are concerned in their vigilance, energy, and uprightness. The office of justice of the peace should be, what it was originally designed to be, one of the most respectable and important stations in the community, commanding respect by the elevated character of the incumbent, as well as by the efficient exercise of the powers which it possesses. The manner and contractedness of their compensation may probably have contributed, with other causes, to lessen their usefulness. Their dependence on the fees of office, in a great many instances, furnishes an unequal and precarious subsistence. In offices of that description, it is perhaps the best course to allow a salary, sufficient for the support of the office, and give such a proportion of the fees as will stimulate the officer to exertion, without making him absolutely dependent on the patronage of individuals. The two extremes, of the actual prostration of the office in the hands of those who cannot afford to perform its duties, and of the encouragement of indolence by a compensation in no manner dependent on the labour that is performed, would be avoided. There are few wants more strongly felt in this country, than that of a number of efficient and intelligent justices of the peace, for the preservation of order and the administration of the laws. The plan of granting commissions to men who never fulfil their duties is absurd, and the increase of the number of officers beyond the wants of society degrades the office, by the cheapness of the honour, and destroys its efficiency by the great division of the emoluments. A few justices of the peace in each county, with comfortable incomes, and an exclusive devotion to the duties of their office, would do more for the preservation of order, and the suppression of crime, than ever can be accomplished by the disorganised, inefficient host who are now in commission. Economy would also be consulted by the change. By giving good compensations, men of superior abilities and more influential character

would zealously embark in the performance of the duties of these important stations. In the despatch of business, and in the protection of the property and rights of the people against lawless assaults, there would be a great saving to the community. Under the present system, the apparent exemption of the public treasury from the burden of maintaining justices of the peace, is accompanied with a waste of property, by the violation of the law, and expenses which are heaped upon the counties by the inefficient performance of the duties, to a vastly greater amount than would result from giving liberal compensations to a body of intelligent, energetic officers, with no other pursuits to attract their attention from their public duties. The number of officers should be in proportion to the work to be performed. Their attention should be undivided, and their authority sustained, in a dignified manner. Meanness in the compensation is a public injury. As the mode of compensation of several other officers is regulated by the constitution, the propriety of establishing a rule with regard to justices of the peace, at least, deserves consideration.

The general assembly, being the great fountain of law, and the depository of the power over the revenue and expenditures of the commonwealth, occupies a most imposing attitude in the constitutional system. The constitution seems to repose great confidence in the virtues, intelligence, and capacity of the people; for it appears mainly to rely upon the right of suffrage to correct abuses in the exercise of the legislative power which, in very general terms, it has conferred. The governor, it is true, has the power of rejecting a bill, when the concurrence of two thirds of each branch of the assembly becomes necessary for its adoption; and the judiciary possesses the power, necessarily implied in its organisation, of declining to enforce an unconstitutional act. But with these checks upon it, its powers are still of vast extent. An enumeration of powers would be impracticable, since some might be overlooked which it would be proper to grant, and others withheld, essential, on emergencies, to the public service.

An increased majority might be required to make a law, but with the exception of cases in which there is an absolute certainty that the public interest cannot be affected, the operations of the legislature might be clogged, and the restriction produce more harm than good. In a few instances restrictions might be adopted, but such is the variety and multiplicity of business which the wants of the community bring before the assembly, that it is impracticable to provide for it in advance, or even to anticipate its nature. After providing for the proper organisation of the assembly, and establishing a few general rules of undoubted utility for its government, the main reliance must

be upon the people in exercising the right of suffrage to correct any abuse of its power. There are, perhaps, few assemblies whose career has been so strikingly marked by the extremes, of wise and pernicious legislation, as the general assembly of Pennsylvania. In casting an eye over an records of its proceedings, it is impossible to avoid surprise at the great number of acts of a private nature which have occupied its time, and at the impolicy and indiscretion of many of those of a more extensive description. Numbers of them are not of sufficient importance to justify the expense they have occasioned; whilst others are so totally useless or pernicious that, in the opinion of many discreet persons, the representatives would have more effectually served the public by remaining at home. On the other hand, every Pennsylvanian has cause to exult in the glory which the commonwealth has acquired, by the many illustrious improvements adorning her statute book, which are models for the imitation of the oldest and most distinguished nations of the earth. Her prisons, her reformation of the penal code, her improvement in many branches of the law, and her public works, with other distinguished examples of a wise forecast, and beneficent legislation, have deservedly acquired for her an extensive reputation, and have placed her in the enjoyment of the fruits of sound policy and enlightened philanthropy. A contrast in the proceedings of the legislature so striking, should arrest the attention of the people, and if there be any mode by which an assembly, capable of the noblest display of legislative wisdom, can approximate to regularity in its proceedings, the honour and prosperity of the state will be greatly advanced by it. It is probable that the subject is beyond the reach of the convention, and can only be mastered by the independent exercise of the elective franchise. But the consideration of it can do no harm. One of the causes of defective legislation consists in the circumstance, that the general assembly is peculiarly liable to be operated upon by party spirit, and the importunity of those whose interests are solely regarded, in their endeavours to procure the passage of laws. The state capital is annually crowded by persons of this description, who leave no artifices untried to accomplish their objects. Representatives, surrounded by the importunate applicants for legislative favours, deprived of an opportunity of consulting with their constituents, or of obtaining information, often acting under the threatened lash of party proscription, influenced by erroneous statements of public opinion, and destitute of that practical knowledge which would enable them to arrive at correct conclusions, not unfrequently yield to the requisitions which are made of them, and give their sanction to laws which their unbiassed and enlightened judgments

would condemn. They often act too much in the capacity of agents, obeying the dictates of those who assume a superiority over them, and too little as the representatives of a free people, organised for the purpose of prescribing laws for those whose numbers, condition, and vocations, prevent them from doing it directly for themselves.

He can hardly deserve the character of a representative who, instead of holding his high trust for the benefit of the whole community, allows himself to be dictated to, by the interested few who throng the lobby, and claim the unauthorised right of wielding the house for the advancement of their own selfish projects. Desirable as it is that representatives should consult the opinions, feelings, and interests of their constituents, independence of all mere partial influence is essential to the proper performance of their duties. If, in the exercise of the power with which the people have invested them of making laws, they can be managed by combinations, or improperly affected by individual importunity, the interests of their constituents must be sacrificed. It is then not the people who govern, nor their representatives, but an unauthorised assemblage of selfish and importunate law makers, who control the rightful authorities. Representatives frequently find it difficult to resist the force which is brought to bear upon them. Their motives may be misrepresented, or not fully understood at home, and they are liable to create personal hostility by refusing to accommodate applicants for laws.

It may be easier to get rid of the odium of passing a bad law, than of escaping the injury which the advocates of it can inflict, if it be refused. The mass of the people repose in quietness, too seldom rewarding the honest performance of public duty. The representative may be sacrificed by the very community which he has served.

Many of these evils proceed from the brief duration of the house of representatives. The term is not long enough to enable members to acquire a knowledge of their duties, to consult with their constituents upon propositions of a doubtful character, or to mature measures of public utility. Continuing for but one year, it is impossible to expect that, in so short a space of time, the various and complicated business of a large and populous commonwealth can be fully comprehended, and advantageously despatched. Two months' interval, between the election and the commencement of the session, furnishes neither time nor opportunity for preparation. A residence for but one winter at the capital is not more propitious, when the personal accommodations, the pressure of business, and the society of the interested who throng it, are considered. The extension of the term for two years would obviate many of these diffi-

culties, and would enable the members to obtain the necessary qualifications for the performance of their duties. In fixing upon the term of service, there are two essential objects to be regarded: the first is, that the representative should not be removed too far from the control of his constituents; and the second, that he shall have ample opportunity to acquire a knowledge of his duties, be made independent of the momentary impulse of misguided popular feeling and the power of combinations designed to control him. That the term of two years will not render the representative independent of the people is conclusively shown by the example of those assemblies in which it exists. Many of the states, even where arguments in its favour, derived from extent of territory and denseness of population, do not arise, have adopted it. Biennial sessions, which have been resorted to in some constitutions recently made, would not suit the immense, complicated interests of Pennsylvania, which require the annual supervision and attention of the legislature. But biennial terms of service and annual sessions seem to comport with the actual condition of affairs, and to be best calculated to secure the rights and interests, and at the same time, to promote the honour and prosperity, of the state. The great difference between the senatorial term of four years, and the annual term of the house of representatives, presents a striking incongruity, and cannot fail to affect the manner of transacting business; with one house composed of novices, and influenced by every impulse of feeling, or shackled by extraneous influence, the other must yield to a condition which it cannot control, or obstruct the progress of business which it cannot properly direct. Designed as checks upon each other, there should be greater symmetry in their proportions, and a better adaptation to the parts which they are respectively designed to perform. As at present organised, there is evident danger that the house will become the victim of passion or of intrigue, and that the senate, overpowered by the strong current flowing continually from the other branch, may sink into an inert and useless condition. If by the increase of the term of the house of representatives, the combined duration of the assembly should be considered as too long, by taking one year from the senate and adding it to the house of representatives, the most beneficial result might be produced without diminishing the popular character of the whole legislature.

Each branch of the assembly should be of sufficient duration to acquire that distinctive character which pervades associations of men, and which is essential to their efficient exercise of power. The individual should merge in the representative. Personal feelings and interests should be lost sight of in the

nobler consideration of the public good. When the members are kept together for but a short space of time, they fail to acquire that *esprit de corps*, without which, they bear a closer resemblance to mere agents, convened for some temporary purpose, than to the organised representatives of the people, forming an integral branch of the government of a free state. When the authority of the house commands but little respect, and when its important powers are converted to individual or party purposes, the people are stripped of their rightful authority, by the prostration of their government. It is evidently impracticable for the people to administer public affairs themselves. Their engagements are too numerous and engrossing, even to enable them to ascertain what are all the measures under consideration. The proceedings of the legislature are seldom generally understood, even by portions of the community having the best opportunities of obtaining information. Who then is to govern? Is it the minority, whom interest or feeling induce occasionally to assemble at taverns, or to send their agents to haunt the lobbies of the capitol? or is it the delegates chosen by the people at the elections? If the former, we had better dispense with a government, and no longer be deceived by the appearance of a fair representation, displaying too many proofs of a subserviency to self-created dictators, who prescribe to it the course it shall pursue. If the latter, then the delegates should be elected for a space of time sufficiently long to enable them to acquire the information and experience necessary to fulfil their duties, and the people to judge of the manner in which they have been performed. Great advantage would result to the public service, from allowing to the representatives of the people the interval between the two sessions to study and mature public measures, to acquire information, and to consult with their constituents and with one another. Instead of being plunged, immediately at the close of the session, into the excitement of an electioneering canvass, in which their reputations or hopes of preferment may be involved, instead of having their minds distracted by being required to decide upon measures which they do not fully comprehend, and then being called at the bar of the public to account for conduct which neither their constituents, nor themselves, have had sufficient opportunity of examining; they would at least have one season for calm reflection and careful enquiry. Measures of a doubtful character might be postponed for more mature deliberation. There would exist no inducement for yielding to improper requisitions, from the fear of being misrepresented among their constituents. The stores of information which would be accumulated, and the enlightened spirit which would be cultivated, would place such of the represen-

tatives, as were desirous of improvement, in that attitude of preparation, which would enable them to resist the influence of intrigue, and energetically advance the public service. The term of two years would not be sufficiently long to enable the unworthy representative to escape the condemnation due to his misconduct. Bad men would not be rendered worse by it, for the annual term is long enough for their purposes ; aware that their seats can be secured by servility and intrigue, it is a matter of but little importance to them how soon the time arrives for them to receive the support, earned by the advancement of the schemes, of powerful individuals, or by yielding to the impulse of party excitement. They might be rendered better, but could not be made worse, by being placed in a condition of temporary independence of the deleterious influence which usually guides and sustains them in public life. That the comfort of the members would be greatly increased, is a consideration not to be overlooked.

Arrangements for a residence at the seat of government of so transient a description as those which are now made, must be unfavourable to the proper transaction of business. The more inducements that are offered to men of elevated character to accept seats in the legislature, the better must it be for the commonwealth. To send inferior men, is as bad policy in the people, as the selection of incompetent agents would be by individuals for the management of their private affairs. The immense importance of the legislature of this state, both to present and future generations, should arouse the people to the resolution of inflexibly pursuing a system which will protect their rights, and perpetuate them for the benefit of posterity.

The expediency of granting divorces, except in extreme cases, has justly been doubted. The morality of the community is deeply concerned in the inviolability of the matrimonial tie. To grant divorces merely for the accommodation of either of the parties, is to establish a precedent fraught with evil. The time of the legislature can scarcely be less profitably employed, than in the consideration of such cases. The more obstacles that are thrown in the way of obtaining divorces, the better will it be for the peace and morals of society. As it is not probable that we shall very soon have a queen, there can exist no great reasons of state policy for exercising such an authority. The time of the legislature is too valuable to be exhausted in the consideration of family quarrels. A constitutional restriction upon the power of granting divorces, would be a valuable acquisition. It would check the frequency of such applications, and, by rendering success difficult, induce the parties to endure that domestic condition which they voluntarily adopted, and for the sanctity of which their faith was solemnly pledged.

To render separation easy, fosters the infelicity for which it is but a miserable remedy. To require the concurrence of two thirds of each branch of the assembly, would probably check the evil, but much inconvenience would not be produced by requiring the verdict of a jury in a criminal proceeding, as requisite to the severance of the most solemn obligations.

The importance of a wise and energetic administration of justice cannot be overrated. When private rights are not adequately protected by the public authorities, and where the judicial power is imperfectly administered, the morals, peace, and prosperity of society will languish, if they be not entirely subverted. There are few things which so sensibly and beneficently affect a community, as the possession of wise laws, vigorously and efficiently administered. Their operation may readily be traced in the appearance of security which pervades the community, and in the frank and adventurous manner in which enterprises are conducted. Honourable feelings are fostered by them, and a high tone of morals strengthens and adorns society. Those countries in which justice is sluggishly or corruptly administered, occupy a low grade in the scale of nations, and exhibit all the symptoms of deep disorders and rapid decay. Property being seldom safely trusted out of the control of its owners, and industry deprived of its great impulse by the precariousness of its reward, the sphere for the exercise of skill and abilities, or for the improvement of property, the enjoyment of which is insecure, becomes contracted, and men move with fear, and labour without alacrity.

The administration of justice, therefore, constitutes an essential part of the duties of every community; for the protection from violence or fraud, which is obtained by social organisation, is the chief benefit derived from its existence. The money which is expended in procuring a wise and impartial administration of the laws, is more judiciously and patriotically appropriated, than any other portion of the public treasure, except that which is essential to national independence. If the executive and legislature were to cease to exist, leaving the judiciary in full vigour, with the ability to sustain itself, society would still go on. The inconveniences which the absence of the other departments of the government would produce, might be tolerated, so long as each individual was protected in the pursuits of industry, and the enjoyment of his rights. The converse of the proposition is not, however, equally correct. Take away the judiciary, and with the wisest and most energetic administration of all other public functions, society would be involved in anarchy, plunder, and bloodshed. True economy, therefore, exacts a liberal expenditure of the public money in fostering the most essential department of the government, and in

investing it with all the learning, dignity, integrity, and abilities, which can be brought to sustain its authority and direct its operations.

In the consideration of the judiciary, there are two important points; the tenure of office, and the compensation of the judges; which too powerfully affect the performance of judicial duties, to be overlooked. The first is fixed by the constitution, which says that "the judges of the supreme court, and of the several courts of common pleas, shall hold their offices during good behaviour; but for any reasonable cause which shall not be sufficient ground of impeachment, the governor may remove any of them on the address of two thirds of each branch of the legislature." With regard to compensation, it is declared that "they shall receive for their services an *adequate* compensation, to be fixed by law, which shall not be diminished during their continuance in office; but they shall receive no fees or perquisites of office, nor hold any other office of profit under this commonwealth." With provisions so admirably calculated to secure to the state an independent and impartial judiciary, it is apparent, that if there has been any failure in the system, it is not justly ascribable to the constitution. They who possess the power of removing inefficient or immoral men from the bench, are responsible if they remain; and they who alone can make the compensation adequate to the necessities of those who devote their lives to the faithful administration of the laws, are censurable, if, by their unconstitutional parsimony, the compensation is not adequate to their comfortable and independent support. That many inconveniences are felt, is certainly true; but it is not difficult to trace them to causes entirely different from any that exist in the constitution." An impartial observer, will freely acquit that instrument from censure, and will confer on it the well-merited praise of having upheld the judiciary from the evils of unwise legislation, and the sometimes glaring mischiefs of a neglect, by the public authorities, of their duty. The constitution has, so far as relates to the judiciary, nobly stemmed the current of error which has sometimes flowed so irresistibly through the other departments. It is impossible for the candid mind to ascribe any of the evils which are said to exist in the judiciary, to the constitutional provisions relating to the term of office, or to the salary. Other causes can be assigned for them. To change the constitution may make things worse, but cannot result in the improvement of them. If cases have existed of the continuance on the bench of improper men, whose immorality, mental deficiency, or want of learning, rendered them a disgrace to the stations which they held, and excited the scorn and indignation of society, is the constitution censurable, when

the governor, on the address of two thirds of each branch of the legislature, had the power of removal?

The evils in our judiciary system proceed from a variety of causes. The improper exercise of the power of appointment has, in some cases, brought odium upon it. The variety of duties which has been assigned to judges, and the disadvantages under which they have laboured for the want of a sufficient opportunity of preparation for the performance of them, may account for many of the irregularities and errors which have affected the administration of justice.

If the public good should be injured by false economy, it certainly is not the fault of the constitution, which designed that the mind of the judge should belong to the public, and be elevated above pecuniary cares, as well as any other influence which might improperly assail it. Without encouraging profuseness, the incumbent should be enabled to live comfortably, be raised above the necessity of resorting to other employments, and, above all, should be rescued from the temptation of becoming a partisan, in hopes of reaching a higher place and better living.

Judges undoubtedly are to be found, who are entirely uninfluenced by any other considerations than those which appropriately belong to their stations, although their term of office may be of a limited or dependent description. But this indicates the possession of great personal excellence, and ought not to be taken into account in establishing constitutional regulations. The object in making a constitution, is to appropriate and guard the powers it confers, in such a manner as to secure their faithful exercise, and prevent their abuse. The examples of great virtue and patriotism which have been exhibited in human conduct, furnish no guarantee that they will often occur. They form no argument for striking from the constitution its most valuable securities. Because judges, with but a short term of office, and small salaries, have displayed great energy, learning, and integrity, there is no reason to doubt the defects of such tenures or salaries. Some men will display independence and integrity under any circumstances. Their fortitude cannot be shaken by any assault; no prospect of personal benefit can allure them from the path of duty. But, in the course of time, men of a different description may ascend the bench. In framing a constitution, that rule should be adopted which will, taking every thing into consideration, be the best calculated to secure to the public an able, independent, and energetic administration of the laws. The rule which will protect good judges in the honest performance of their duties, and will furnish the most effectual mode of getting rid of the bad, which will foster the virtues of the well-disposed,

and check the aberrations of the frail-hearted, should be firmly adhered to as essential to the best interests of the state. The constitution of Pennsylvania contains, in its judicial tenure, a regulation fully answering this description. It is impossible to devise a term of office better adapted to the judiciary, than that which the constitution has established. It possesses the happy medium between that servile dependence on the appointing power, to which offices of a limited tenure are subject, and that irresponsibility which accompanies more durable stations. The term for a fixed number of years is adapted to some offices of a political character, where the periodical renewal of the commission is an incentive to the performance of duty, and secures the ascendancy of popular will. Where the knowledge required for their proper execution can be acquired with ordinary diligence, and does not exact years of exclusive study, little mischief can result from rendering the incumbent liable to the loss of his office, without any cause being assigned for it. His being the sport of party passion, or the victim of personal animosity, cannot essentially injure the public. The storm which agitates may purify society, if in its career it be not permitted to prostrate the bulwarks by which its rights are secured.

The official tenure at the will of the appointing power is also adapted to many stations. The time that would be occupied in removing a refractory or defaulting officer, by a slow course of legal or legislative proceedings, might endanger the safety of the country. The power of immediately dismissing, or at least suspending the unworthy, must be lodged somewhere. The executive is therefore armed with authority by which he can stop the progress of impending mischief, or infuse into the political machine new energy, by substituting the strong for the weak, the patriotic for the selfish, and men of stern integrity for those of doubtful or wavering morals. But neither of these terms of office is adapted to the judiciary, the peculiar character of which requires a far different organisation.

Whilst the other branches of government are undergoing continual changes, the judiciary should remain firm, and be invested with that durable character by which the stability of our republican institutions can be maintained. No republic has ever been able to sustain itself without permanency in at least one of its branches, by which the constant fluctuations in progress, shall be prevented from sapping its foundation, and entirely subverting its organisation. Insurmountable objections exist to establishing this durable authority in either the legislature or executive. But the modern improvement, the truly republican arrangement, of a firm and unwavering administration of the laws, furnishes the republican system with stability,

without in the slightest degree affecting its popular character, or incurring the danger of creating aristocratical power. The limited number of judges, and the nature of their duties, render them incompetent, if they had the inclination, to arrogate political power, or to aim at the subversion of freedom. No danger ever can arise from the judiciary, except by making it the instrument of the other public authorities in overthrowing the constitution. When independent of them, this can never occur. By making the duration of their offices dependent upon the pleasure of those in power, they might be used for most pernicious purposes; they would no longer firmly hold on to the constitution and the laws, when assailed by the other branches of government.

The complicated nature of the laws of a free people, which leave as little as possible to human discretion, and are designed to furnish certain rules to guide the intercourse of men, and the transfer of property, requires great assiduity, and the devotion of a life, fully to understand and properly to administer them. Judges should so far be independent of those in power, that their removal could not be effected without public proof of their incapacity or culpability. The term, "during good behaviour," is admirably adapted to the purposes of administering justice, to the vindication of those who may have their rights violated by the abuse of judicial power, and to the protection of the judges themselves, against attempts to corrupt their integrity, or to trample on their authority. With the power of impeachment and of removal, if bad or inefficient men are permitted to receive the public money as a compensation for the performance of duties, which they wantonly neglect or wickedly violate, it is the fault of those in whose hands the remedy has been deposited. The term "during good behaviour," was resorted to for the protection of the rights of the people against the aggressions of high-handed power. Its continuance now is as important, as its adoption was necessary; for although we have no monarch to trample upon our rights, yet experience furnishes abundant evidence that they are not above the reach, nor always exempt from, the grasping propensities of powerful individuals and infuriated parties. Even legislative encroachments upon the rights of the citizen sometimes occur. No community can be sound which does not possess tribunals by which the powerful, whether in or out of authority, whether made so by the accumulation of wealth, or by organised parties, can be brought into subjection to the law, and restrained from encroaching on the rights of the weak or humble.

Judges should be as little as possible connected with party movements, for these are calculated to produce associations inconsistent with the pursuits congenial to their stations, and

when indulged in to excess, create a mental excitement entirely hostile to the deliberate and impartial exercise of the judicial functions. If judges, holding commissions during good behaviour, have ever been led into this error, instead of its being an argument against that tenure, it powerfully supports it. For we are induced to enquire to how much greater an extent would it have been carried, if the judge's office and means of subsistence had depended upon the success of his party? All his prospects in life might be involved in an election. The support of his family, his advancement in life, the possession of his present honours and income, might be swept away. Is it reasonable to expect independence, impartiality, learning, or a deportment becoming his station, in a judge with so fleeting a tenure? Opportunities are constantly occurring for the exercise of his influence. Questions affecting powerful partisans, or popular feeling, constantly arise, and shall they be decided by the judge who is elevated but for a short or uncertain period, and who may have presented to his view, proscription with honesty, or a continuance in office as the reward of servility? Nothing is more disgusting than to see a judge yielding to influence; he should know no distinctions among men; he should possess sufficient learning and confidence in his own abilities, to decide correctly and without bias, whoever may be the party, or whatever counsel the suitor may employ. Although the public will and should recognise the various grades of learning, ability and integrity, which must exist in every profession, a court should be able and willing to decide causes according to their merit, without regard to the persons, who may be standing before it, retained as advocates. That the tenure during good behaviour is better adapted to guard against these evils than the term for years, is apparent. However honourable and independent some judges are who hold their offices for a term of years, they do not justify an opposite conclusion. We should guard against permitting the personal merit of the judge to sanction a defective organisation of his office. It is highly desirable that the bar should never be stronger in mental resources than the bench, for the purest judges will quail before the power of superior intellect and learning. To avoid this evil, the judicial station should be so elevated as to invite by its dignity, and not to deter by the penuriousness of its compensation, the services of men of superior genius and attainment. The poor would then be on a level with the rich. If individuals can obtain men of superior abilities to manage their causes, than the public to decide them, it is evidently giving to the former a great advantage over the rest of the community. It is a great mistake for the public to allow itself to be surpassed by individuals, in selecting men

of abilities to transact its affairs. On the score of economy, the highest grade of intellect is always the cheapest, although it may apparently cost more to procure its services. Nothing will more effectually tend to break down the intellect of the bench than to alter the present judicial tenure.

A state of dependence is most frequently one of degradation. Independence is calculated to foster virtuous feelings, to give to the mind a lofty tone of honour, and inspire the heart with a pure and exalted spirit. Judicial, unlike ministerial, officers cannot yield to dictation, without sacrificing their principles, and becoming faithless to their duty. The nature of the judicial functions revolts at a condition of subordination. We have no satisfactory evidence that a judicial term for years has answered a good purpose any where. Arguments in abundance have, as has already been remarked, been drawn from the examples of distinguished men. But the judgments of the most sagacious observers have condemned that tenure, and it is believed that the general sense of the country, so far from being favourable to its extension, is opposed to any further official subordination in any of the departments of the government than is essential for their proper responsibility. It is the misfortune of our country that offices are too frequently dispensed to provide for the wants of partisans, without reference to their qualifications. It cannot be expected that the judiciary will be exempt from this evil. To make judges dependent on the appointing power is to give the mischief additional force. The people are the sufferers by this course of conduct, for all are interested in the administration of justice. The certainty of the law must be impaired by frequent changes. Its impartial operation will be equally affected. A mild, firm, and enlightened administration of the law requires that its ministers should be exempt from external influence, and capable of devoting their lives to their duties. There should, in every community, be a body of men set apart for the administration of the laws, who, having as little connection as possible with topics that agitate society, and having no motives of policy to guide their conduct, will be without inducements to permit justice to be warped to suit the purposes of powerful citizens or excited factions.

Should the judicial power be abused, it is not the fault of the constitution, but of the representatives of the people, who possess the most ample means of preserving its pure and impartial administration. If it be impure, the representatives of the people are guilty of a gross dereliction of duty. It is apparent that the clamour which has been raised against the constitution has been singularly misdirected, for if well founded in its estimate of the grade of judicial competency, it should have vented

its wrath on those who, possessing the power of removal, have not exercised it. The term, let it be remembered, is *during good behaviour*; the power of removal is for any *reasonable cause*. They who have condemned the constitution are without an excuse; for if there be a fault, it lies not in the admirable provision of that instrument.

The judiciary has within itself checks against the abuse of power, which no other department can possess. The station, from its exposure to observation and scrutiny, is surrounded with peculiar safeguards. The public trial, the constant exertion of the mind in the decision of causes, the pressure of litigants, and the watchfulness of the bar, are calculated to keep a judge in the path of duty, and prompt him to pursue an honourable career. A man who is qualified for the station, is too elevated in feeling, and too thoroughly disciplined in mind, to permit the consciousness of independence to lull him to repose, or the possession of an income adequate to his support to relax his habits of industry. Reputation, the love of knowledge, and a devotion to the cause of justice, which it is his duty to administer, will inspire the heart and expand the intellect of the upright judge. A contrary effect may be visible in many incumbents, but it only proves their unfitness for their stations, and does not impair the force of the remark that, when a judge is made of the right materials, a stable tenure and comfortable income increase his capacity and opportunities for the performance of his duties.

The term of office during good behaviour has, perhaps, in some sections of the country, lost the approbation of a portion of the people, in consequence of the refusal of the legislature to purge the bench of a few glaring examples of immorality. The legislative and executive power of removal will have a most salutary operation when exercised, in the true spirit of the constitution, not to gratify personal animosity or party spirit, but to preserve the purity of the judicial corps. When the motives are correct, and the power is exercised with discretion, there can be little danger from its rigorous exercise on all suitable occasions. Perhaps a power of so high a nature might be subjected to some useful restrictions, such as requiring a formal specification of charges, and guaranteeing to the judge an opportunity to make his defence. Nor can judges complain of the just and energetic exercise of this authority; for a public trial being afforded them, they are exempt from the snares which malice might lay, and being brought in open contact with their accusers, the fairest opportunity exists for their vindication. Ordinary prudence will screen them from assault. There should always be sufficient circumspection in the conduct of a judge, to guard him from unmerited condemnation.

As the uncertainty of the law is one of its greatest evils, the adoption of a temporary tenure, by which it will be increased, is calculated to inflict a serious injury upon the public. The legal knowledge contained in books is immensely extensive, and requires years of indefatigable study to master. The practice also exacts great labour for its acquisition. Principles must be well understood, and be consistently administered. It will be in vain to expect certainty in legal proceedings, if the judiciary be in a constant state of fluctuation. Each new incumbent will display the want of experience. The administration of justice will exhibit the various impressions which the different abilities, acquirements, and prejudices, of its ministers must produce. The intricacies of litigation, and the variety of legal authorities which, under the most favourable circumstances, are of a magnitude to occasion formidable obstacles in the path of justice, will be vastly increased. The clouds which overshadow the law cannot be removed by the delusive expedient of creating a succession of officers, to exhibit for a while their powers, and then to give way to a new race. The commencement of the judicial career will be one of preparation for the duties, even allowing that the favoured officer has no debts of gratitude to occupy his attention. The approach of the time when his commission must expire will be a period of feverish excitement, if it be not occupied with exertions to obtain its renewal. These evils may be qualified by circumstances, or may be obviated by the personal virtues of the incumbent. But in framing a constitution the general motives and features of human nature are to be considered, and not cases of individual excellence. Provision must be made for the ordinary grade of mankind, and to guard as much as possible against improper influence.

It has already been remarked that judicial tenure during good behaviour, is the most truly republican. The independent administration of the law is essential to the existence of republics. Despotic and aristocratical governments would be shackled by such a regulation. Without dwelling upon the influence of party spirit, and the domination of corrupt demagogues, which so frequently disturb the peace and control the career of the freest and purest commonwealths, the history of human freedom exhibits the frightful abysses of despotism which at all times are open to engulf it. The wisdom of the day may teach us to repose in security, but the lessons of experience prove the necessity of guarding our liberty from assault. An enlightened and independent judiciary is one of the most effectual means of protecting the principles and the rights embodied in a republican constitution. Whilst the storm of party rage or corruption is struggling to undermine the political

system,—whilst the people are agitated by dissensions, and society is rapidly yielding to the power of aspiring demagogues, who does not see the advantage of having the administration of the laws aloof from the turmoil, and under the control of men free from its influence and independent of its power? It has been remarked that, where the crown was not concerned, Jeffries was an impartial and honest judge. His infamous career was partly owing to his dependent condition. Had his term of office been exempt from royal power, his resistance to the despotism of his superiors might have been as conspicuous as the unrelenting spirit which, for the sake of preserving his station, he exercised towards the unhappy victims of monarchical animosity.

'The term of office during good behaviour cannot, it is true, make the corrupt heart virtuous, nor the ignorant mind enlightened; but its tendency is to create an honourable spirit, and to stimulate to exertion. The term for a limited number of years has nothing to recommend it. There is no principle of republican government, that requires an efficient officer to retire from his station merely to make room for another, or to furnish the appointing power with an opportunity to issue a new commission, and place the officer under additional obligations. This power of appointment is, however, an essential ingredient in an unlimited monarchy, for there all official subordination is necessary to the supremacy of the executive. In many offices, the term for a fixed number of years may be proper. Periodically renewing the commission, and receiving the homage of the favoured candidate, add to the power of the government. If judiciously exercised, it may preserve official purity in the inferior departments. But it is difficult to see what good can result to the judiciary from being placed in this condition of subordination, or being subject to these changes. The sole object, in a republic, of conferring appointments, is, that the laws may be properly administered. The mode, therefore, by which this object can be the most safely and efficiently accomplished, is the most truly republican. When a good man is in a judicial office, republicanism requires that he should be sustained; when a bad man has gained authority, the same creed calls for his prompt removal. That official tenure, therefore, which renders the conduct and qualifications of a judge the criterion by which the duration of his authority shall be measured, is the most truly republican. It is not a term for life, although the good behaviour of the incumbent may make the official and the natural life coextensive.

The cry that has been raised against the constitution of Pennsylvania, as authorising offices for life, is no more than the exaggerated expressions of party animosity, destitute alike

of truth and reason. That the constitution is in many respects susceptible of improvement, cannot be denied; but they who aim their hostility at the judicial tenure, would do well to consider the perils which may be encountered by not only subjecting the judges to a condition of dependence, but by increasing the patronage of the public authorities wherever the power of appointment may be lodged. Political offices may appropriately be held for limited periods. They are generally of very short duration. Their duties are of a description which require frequent appeals to the judgment of the people, or of the authorities under whose control they are placed. Permanency seldom exists in such cases. The popular will has ample scope; and, being directed upon objects which it is competent to control, the great channels of political authority are kept sufficiently active and pure by the popular currents which unceasingly flow through them.

Whilst the stream moves on, creating periodically the most striking changes; prostrating the lofty, and elevating the humble; not unfrequently effecting an almost entire alteration in the public counsels, and, after a lapse of a few years, leaving scarcely a vestige of those who for their brief space of popular favour exercised a dominant sway over the state, it seems to be peculiarly appropriate that some land-marks should be permitted to remain. Whilst every thing else submits to alteration, the administration of the laws should be firm, and exempt from fluctuation. In other branches of the government, the excitement of party spirit may exercise a salutary operation; but if it once ascends the bench, it will be a pestilence to be more seriously dreaded than the scourge which prostrates its victims without mercy or discrimination. Separated from popular excitement, and uncontrolled by men who rule for a time the commonwealth, amenable to a constitutional jurisdiction when incompetent or faithless to their exalted trusts, it is impossible to conceive a wiser or more truly republican judicial tenure, than that which is contained in the constitution of Pennsylvania.

The importance of the duties of the convention cannot be exaggerated. The peace, freedom, and prosperity of a great and growing commonwealth, may be involved in the faithful performance of them. Party spirit, selfish feelings, and temporary interests, should not be allowed to mingle with considerations so deeply important to the community, and to posterity. The result of its deliberations will excite intense interest. Its wisdom and patriotism may powerfully aid in perpetuating the durability of free principles, and the security of social order. Animated by a spirit of forbearance and moderation, and

keeping the permanent good of the state constantly in view, we may confidently hope that its labours will redound to the honour and prosperity of the commonwealth.

ART. XII.—*A Narrative of Events, connected with the Rise and Progress of the Protestant Episcopal Church in Virginia. To which is added an Appendix, containing the Journals of the Conventions in Virginia, from the commencement to the present time.* By FRANCIS L. HAWKS, D. D. 1 vol. 8vo. New York: Harper & Brothers. 1836..

We received, too late for an extended notice, the above work, which the author modestly entitles the commencement of "Contributions to the Ecclesiastical History of the United States." The subject was too novel, and the book itself too valuable, to permit its being passed over in silence. The church history of our Union, we refer now to all the different sects in the country, is almost untrodden ground; and certainly no one (to judge from the present specimen) is better fitted to be the pioneer in this interesting and worthy labour, than the author of the History of the Episcopal Church. Of that church he is well known, from his learning and eloquence, to be a distinguished ornament; and, from the time he has devoted to the subject, and the materials which, by patient industry, he has collected, it would appear that no one was more capable of illustrating her annals. The work shows abundant marks of laborious research, and careful investigation and comparison; and, though more peculiarly acceptable to the members of one religious persuasion, yet, from its connection with the general history of our land in its first advances towards nationality, it may present much to engage the attention of all readers. He has commenced, very properly, with Virginia, as being not only one of the earliest settled among the states, but because the planting of the Episcopal church there was coeval with the settlement of the colony; and the rise of the one is therefore connected intimately with the infant struggles of the other. The "old dominion," too, at one time exhibited the spectacle so little agreeable to American modes of thought, of a union between church and state; the episcopal forms and doctrine being, in fact, for many years, there the "establishment." Some very important questions of law and

of general liberty had their origin in this state of things, which are well worthy of the consideration of all classes in our land, though the immediate solution of them was of more confined interest. The reverend author writes with the inclinations belonging to his persuasion and profession, though exhibiting none in a degree to interfere with a dispassionate and just view of the great interests involved. The ultimate advantage to the cause of religion, seems to have been one main object which prompted his efforts; and in this, certainly, he will have the good wishes and countenance of every friend to her advancement.

The style of the book is exceedingly agreeable, throughout; and, occasionally, passages will be found of no ordinary degree of eloquence.

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ART. I.—*The Shelley Papers.* London. 1833.

The three greatest poets of this century are, we think, Shelley, Wordsworth and Byron. We place them in what seems to us the order of their merit, though this of course will be a matter of dispute—and it will be a very difficult thing to reconcile opinions where the question concerns minds of such various and different powers. Between the first and last, there can hardly be a doubt as to which deserves pre-eminence—the difficulty lies only between the first two. We are conscious that in thus putting Byron beneath any one, whether of the present time or the past, it will appear to many as a depreciation, arising from ignorance of his works, or an incapacity to estimate them. To this we must submit. We only give private opinion, and oppose prevailing notions; neither from eccentricity or an absurd wish to claim originality, but from conviction. It is but a short time since we so far escaped from the fascination of Byron's muse as to be able to judge of his poetry, or to yield any thing but an unhesitating and impetuous admiration. The feelings were too deeply interested to admit an appeal to the judgment. He stood in relief, beyond all contemporary genius, the personification of human perfections, and only the poet of his age. The voices of all the rest sounded from a distance. They could gain no audience, find no response, in the pre-occupied bosom of his admirer. But time has checked all this: our intensity has died away. And we are now able to compare and class, where before we saw nothing but unqualified perfection. Like removing the quick-

future is rising over the destinies of men—how steady, but stern, should be the resistance that is made to the pervading spirit of destruction. We of course do not mean by this to retard improvement—revolution must not be confounded with reform;—nations as well as individuals have the right to remedy evils, but none to make encroachments—yet there is undoubtedly great difficulty in fixing the barrier, in drawing the line that divides the progress of good and the commencement of its opposite; for where things are at the mercy of men and not of principles, it is impossible to foresee how far they may be borne on by the heady impetuosity of passion. Yet till the time when evil is our good, there must ever be principles at work, the advantageous or the dangerous; they are the world's social pivots, and man without them would be like Archimedes with no place to fix the lever, with which he was to move the earth. The three now in action are, the enquiring and doubting, the conservative, the revolutionary or convulsive.

The three poets, whom we have thought the best of the time, represent these various principles. It is singular, perhaps, that poets should be reformers; but it is part of their nature to love freedom; and the strength of the great faculty which governs them, gives their souls a wider circle of sympathies, and lays them more open to the agitation of the moment. They have, too, more hope, more enthusiasm, more impatience, than other men; more readiness of action, more acuteness of perception, and less despair. Every poet represents the spirit of his age; or, with the prophetic sense that his tenderness and benevolence of sentiment create, with indignation at present wrong, the prevailing spirit of an age to come: and poetry, like the sea-fowl that rests upon the bosom of the waters in the tempest, seems to float upon the stormy sea of troubles with as much composure as if it ruled them. Great minds must be brought out or produced by great things; they will always be above and beyond the occasion; they do not rise with every blast that brings foam to the surface, and break like bubbles when the agitation has passed. Thus, Dante was nurtured amid the contending factions of the rival republics of his country; and he wrote his great work in the misery and exile to which they dismissed him. Milton was bred among, and shared in, the civil convulsions of England; and the present century has seen imagination keeping pace with the tumult and distraction of war, encouraging revolution, loosening all the bonds that enchained thought, and freeing the control with which laws and morals kept down the wayward will and evil disposition of men.

Poetry has kept in unceasing action the mental excitement of the universe; and poets, with all the power and ardour, that are a part of their art and character,—with all the fineness of senti-

ment, all the beauty of thought, all the energy of feeling, of which they are the representatives, have mingled in the storm and conflict of political strife, and become politicians. But they have ever embraced the nobler part of the cause. Imagination, that hurries onward from the present to the future, and even puts life into the past, cannot descend to the gross and vulgar views of the selfish and the cold. Whether, in their impetuosity, buoyed and allured by the rapid and deep conviction, the smiles and gladness of hope, they have urged the sudden and instant destruction of prevailing errors, the rude disruption of ties that are created and bound by the most enduring attachments of the human heart ; or whether, in submission to the tranquil counsels of a wiser and a safer judgment, they have advised patience, the difficult, and generally, to the weak spirits of men, almost impracticable forbearance, and abiding fortitude, under suffering and wrong, that time alone is to remove, they cannot be charged with a base or selfish purpose, or as acting from any other motive than the good of men. Byron, the great poetical disorganizer of his day, has, at times, shaken this opinion. But when we consider that he was a being almost entirely of impulse ; and that if he had a sinister and distant motive it would have been almost impossible for him to conceal it ; that for the larger portion of his life, he was the object of contempt and avoidance to the better part of society ; that he was an exile from his native country ; and that even if his natural disposition had been generous, which we almost doubt, we must acknowledge that these were sufficient causes to keep in action his basest and most violent passions. A certain portion of the world made him their foe ; and in retorting on them insults and calumny, his genius made him the foe of mankind. He was the head of a social convulsion. Like all civil strife, from personal bitterness it became a war of extermination. He was the representative of a certain class of opinions ; the incarnate concentration of a fashionable mode of thinking ; of the dangerous sentiments, the exaggerated and distempered feelings, and disorganizing principles, that, under the pretence of assaulting absurdities, were warring with the best interests and shattering the noblest institutions of men. We make every excuse for a disgust at antiquated errors, the tyrannic rule of custom, and the servile submission with which it makes the best energies of the human soul to bend. The increased intellectual activity, the diffusion of acquirement, the whole spirit of the times were against them ; but these are things at which the finger of scorn should never be pointed : let time alone be their destroyer, let thought and reason be their only innovators : but while they are intended as blessings, and no man appears able to offer a substitute, let them stand untouched. The great design, with all superior intellect, all minds that can instruct, and draw from the

deep resources of their intelligence, should be to elevate human character, give it hope, give it support. The influences of the world are base and depressing enough, and require no additional power, utterly to wither the already despairing expectations of mankind ; but to cast ridicule and scoffing on the little that is pure, the little that is holy, is at once to rear high the battlements of hell over the ruins of the human spirit.

The influence of this poet's writings went to this end. The times were filled with action, and passion, and convulsion. He felt the movement, took the tide, and was borne like a bubble on its surface. He aided and gave impulse to the heady current of revolution. His extraordinary popularity as a writer mingled him with the affections of the public. It wrought into their souls the doubt of the existence of virtue as a principle of action, and all the ribald jests and sneers with which he assaulted the motives of men and their institutions ; it gave a vicious bias to the principles and the characters of the young ; and it will only be with time, the decay of his name and works as a fashion, and an admiration for a higher standard of morals and purer sources of poetry, that an entire change in these effects may be expected. These fountains of better poetry and morals we open in the works of Wordsworth and Shelley. During the ascendancy of Byron, and the confusion he created, these two poets were for the time nearly overwhelmed ; but they were forming a strong though tranquil under current, deeper, though less observed—more powerful, though never swelling with the turbid fury and impetuosity that belong to those who are the idols of the mass. But they were gradually making their way, and if they are not now, will be in a few years, more read than any poets of the time. We are inclined to think that in all the higher matters of taste, popularity is suspicious. There is something low and debasing in catering for the majority at all. It shows a desire for the worst part of fame—its notoriety—that in itself betrays a vulgar and feeble mind. No one would ask the judgment of the mob alone, and no one would feel exalted by its praise ; yet to gain it he must bring his intellect to their level, he must reduce the fineness of his sentiments, the energy and elevation of his feelings, all that he feels within himself separating and distinguishing him from those around, to the meagre standard of general opinion. Is there a single great work, of whatever nature, on whose merits the mass of men are able to decide ? Would Raphael have hung his picture in the streets of Rome ; Dante have thrown his poem as a peace offering to those who drove him from the walls of Florence ; or Milton offered the result of his toils, whose every line, like the rays of light, is wrought with a beauty, brilliancy, and power, that show the deep effulgence, the magnificence, and the vastness of the orb whence they spring,

to the crop-eared fanatics or profligate cavaliers, that formed the rude and fierce factions of his country, undoubtedly not; and whoever is conscious of an inward power, a genius that he is well aware the world will not appreciate, let him not strive to subdue its struggles for expression—check its impulse and compel it to a career that from being uncongenial must wither every effort. From the great variety of human character, comes equal variety of tastes, and there is nothing in nature or intellect but will find a congenial alliance. But all minds when exerted in a sphere to which they are ill disposed, lose half their power. The will is backed by no zeal, there is straining for effect without the ability to produce it. There is no ease, no grace, no repose, in these extorted labours. The strongest minds will not yield to the whim or fashion of the moment. They seem borne up by a strength of conviction and energy of will, that resembles inspiration. They mark their course and adhere to it, through opposition and persecution, with a pertinacity that becomes obstinate in proportion to the violence with which it is assaulted. Heretofore literature was only meant for the few. The great men of the past looked to immortality, but not to popularity; they could not imagine the enormous multiplication of readers, but gave their souls to the world, with no hope that time would enlarge the sphere of their intellectual influence, or make their thoughts flow onwards in an incessant pilgrimage to the shrine of mind. They made no offerings to the passions of the hour, but like legislators seemed to be ever looking to the future. They gazed into the abyss of time, and saw moving in its depths, not the countless multitude of the gleaners of thought that multiply with the improvement of old empires, and the creation of new, but the limited few; the small brotherhood of congenial spirits, who, stood divided from the world and its interests—who loved study for itself, not for the fame it gave—and gathered around learning as the altar where all their affections were warmed—all their feelings purified—all their hopes elevated or sacrificed. This state of things has not yet passed away—and whoever has the courage to forego the intoxicating gratification of an immediate and premature reputation, and to permit his genius to take its course, will find, or make an audience. There are two things belonging to every work, that seem to require distinct faculties; the conception, and the execution; with the first, the majority of men have nothing to do, the last, is their only ground for admiration, criticism, or calumny; yet it is the first only that shows the mind—the last is matter of detail, of industry and habit. The first proves the power of imagination, the strength and extent of the intellect; the second, dexterity in managing the materials. But who, except some congenial soul, can appreciate or comprehend all that the imagination has gone through—the far world it has

traversed, the glories it has seen, the whole stupendous energies of this amazing and sublime power. It is only when it drops to earth, arrays itself in the dress of every day life, and addresses the passions and interests of men, and mingles in their humble pursuits, that it is capable of exerting an influence or drawing attention. It is only when it is no longer imagination, when it has deserted its realms of spirit, shrouded its splendour, and drawn over its starry vesture the garb that dims its beauty, adopting the plain, regular, and unpretending movements and appearance of one of the sons of earth, that it can touch their passions, or be viewed as little else than monstrous. Are there not examples and evidence of this, among the greatest poets? Dante is thought wild and absurd; Milton, cold, formal, and solemn; and Shelley, as beyond these, and almost mad, because they have given the reins to imagination, and roamed through spheres and space, so boundless, so obscure, that the common view cannot track them. But why is this attempt to degrade these great spirits? Is it forgotten that they have created new worlds? Why should that be matter of reproach that gives to us the hope of great destinies—that in increasing our admiration of the powers of the human soul, leads us to elevate its nature, inspiring through their glory the sense and desire of immortality? It is true, we believe there are things so vast and so extraordinary, that men refer their existence to accident. Their thoughts being unable to extend beyond what they see, they lose all conception of the creator, in the creation; men look on the ocean, the earth, the heavens, and admire the beauty, the magnitude, the order, the arrangement—but stop there! they neglect, or deny, or attribute to some inferior principle, the origin of this great whole; for the love of depreciation comes from and grows with our ignorance. We have no fondness for the incomprehensible, no understanding for the invisible. All that will not rest on the columns of our intellect, we throw into the regions of speculation, scepticism, and doubt; and thence it is, that the greatest minds, unless they adapt themselves to this their earthly sphere, have but a small circle of admirers, and remain forgotten or unknown. This was particularly the case with Shelley. Almost the sole notice his works attracted, was confined to abuse. Those who confessed that they did not understand him, that he was too abstract to be popular, still calumniated and persecuted with an envenomed fury, that seemed to have a personal source; while his inferior, Byron, was allowed to fling his scoffs and sneers on all that was admirable in human character and human institutions, and distil his profligate wit into the senses of the world, till they were steeped in its poison; yet he was cheered and praised.

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This unmanly and cowardly conduct can only be attributed to base causes; the chief, a spirit of illiberality that then pervaded the literature and politics of Great Britain, and which admitted no enquiry, and always attempted to break down all freedom of thought whenever it rose in opposition to and assumed an independence of certain opinions that had long monopolized the highways of intellect. The antiquated jurisdiction, this prescriptive right of judging, that listens to no appeal, but brings before its tribunal, errors as crimes, the questionings of an anxiously seeking mind as dangerous heresies, doubts that rise in the progress of study, and are the impelling forces towards farther knowledge as expressive of the disposition to loosen the bonds of habitual faith, and put in motion, to wander the broad field of enquiry, the most vicious elements of our nature, is now moderating its tone with the loss of its influence. The refined, antique toryism that enchained literature and morals, and gave to its dictates and decisions the imperiousness of law, though one of the best guides for public opinion, and safest sources for the moral power of a nation, is rapidly passing to a shadow, before the turbulent excitement of men's minds; and the diffusion, or with more propriety, the levelling of knowledge. The last strongholds of this worthy and honest feeling in England, are the two universities, Oxford and Cambridge; the first, however, is its oldest, strongest, and most impregnable fortress. There are preserved, with most religious respect, the skeletons of old forms, the phantoms of a grandeur, whose substance has been withered by time; yet still bears, like a mummy, the external aspect of life and power, from having been embalmed by pure principles, which suffer no corruption from age, though they may lose their vigour by neglect and want of occasional excitement. Theirs is the apathy of long self-satisfaction, the torpor of self-complacency, that come from an uninterrupted rule, and which allow the blood to stagnate in the very centre of their energies. Still to these places of instruction, the ardent and aspiring youth of England go; there they imbibe prejudices which intercourse with the world compels them to dismiss, and there they acquire a character and habits that after circumstances necessarily modify or entirely change. We allude, of course, to the general effect on the nature and principles of the young men educated within the

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walls of those two celebrated schools. They are, beyond a doubt, the two noblest institutions of the world: yet there is much in them which is behind the times, and which probably will not be able to resist, long, the wide-spread spirit of reform. To Oxford, at the usual age, Shelley was sent,—a mild, retiring boy, eager for knowledge, fond of seclusion and study, generous and benevolent, and with every element that gains respect or achieves distinction,—but with two most dangerous qualities, a most extraordinary enthusiasm, and an equally remarkable eccentricity of disposition; and, as almost a necessary consequence of the first, a wonderful susceptibility to all impressions. These were the sources of his misfortunes, if this word can apply to events that detract but little from him as a man, when we know they were the result of sincerity in his opinions, and probably contributed to the energy of his mind and thence to his fame. Oxford seems, at first, to have been sufficiently congenial. He liked the place and the kind of life; but he tired of the discipline, the painful and exacting routine, and the being compelled to bring his own taste to the level of that of another; to subdue all inclinations, and measure all desires, at the will of some one who excited no respect, regard, or interest. This soon became a cause of interruption to the harmony and happiness of his collegiate career.

“They are a very dull people here; a little man sent for me this morning and told me, in an almost inaudible whisper, that I must read: ‘You must read,’ said he, many times, in his small voice. I answered that I had no objection. He persisted; so to satisfy him, for he did not appear to believe me, I told him I had some books in my pocket, and I began to take them out. He stared at me, and said that was not exactly what he meant: ‘You must read *Prometheus Vincetus*, and *Demosthenes de Corona*, and *Euclid*.’ ‘Must I read *Euclid*?’ I asked, sorrowfully. ‘Yes, certainly; and when you have read the Greek works I have mentioned, you must begin *Aristotle’s Ethics*, and then you may go on to his other treatises. It is of the utmost importance to be well acquainted with *Aristotle*.’ This he repeated so often that I was quite tired, and at last I said, ‘must I care about *Aristotle*? what if I do not mind *Aristotle*?’ I then left him, for he seemed to be in great perplexity.”

The above scene, which we extract from some memorials of Shelley, written by an early friend, is extremely interesting, as giving, at one view, his character and that of the institution—the entire opposition between the two spirits. The one a man of forms, a dull, priggish tutor—feeling his importance and trying to impress it on his pupil—the other a child of genius, struggling with an amiable desire to meet the wishes of one, who, for the time, had the right of control—yet, with an open disgust at the recommended studies. Shelley’s despondency at the command, and the necessity of attending to it, with the pert self-

sufficiency of manner, and true pedagogue mode of issuing the mandate, are such as most can appreciate, and from which few have escaped. It was not that he recoiled from the difficulties of the authors, but from their dulness, and that he shrank with utter repugnance from the subjects they treated, and was utterly indifferent to the information they contained. He was a remarkably fine scholar and a most intense student, consuming sixteen hours out of the twenty-four in his intellectual toil ; but from the peculiar structure of his mind, he required that the study should be one that met his enthusiasm, or encouraged some speculation in which his imagination and fancy were excited, and all his faculties engaged. The secret of his being was in the inordinate strength and excitability of his imagination ; his peculiarities, that seemed to indicate the existence of but a slight barrier between sanity and madness, were from this source ; for, unlike colder and calmer minds, that generally, after a certain age, give way to the opinion of the world, and allow themselves to be so far subdued as to sink to the level of the mass around them, he could never follow the impulse of thought or feeling imposed by another, nor share the heartless occupations, or waste his energies upon the dull formalities of life. It was essential that the heat of his soul, and the elevation of his spirit, should find a response, but neither could bear those harsh, repulsive shocks we encounter from the bare realities of the world, and which lower the tone of sentiment, diminish the sensibility, and cast the finest powers into the common mould, where the individual existence loses itself in that of the many. It is at all times difficult to trace to their sources the peculiarities of any nature ; even those who are not above the sphere in which they move, who have no social or intellectual distinction, still possess metaphysical niceties of character, that elude the closest scrutiny. Almost all men are led by some one faculty. The two most powerful are the imaginative and the reasoning, and the world may be classed under these two great distinguishing heads, though there are certainly very remote differences with the vast variety of individuals who form them ; and then the physical organization which moulds the passions must be considered, for it is from these, their coldness or impetuosity acting with and to some extent governed by the merely mental qualities, that the entire individual character is created. Yet from the myriads who have existed, or from the many who now exist, how large is the number that can be selected to give to us the most distant hint as to their real nature, and the design of their being?—for mankind appear like little animals, playing on the bosom of an unruffled sea, now and then put in motion by a superior existence, but for the most part playing with time and awaiting their destiny in all tranquillity. They seem to live calmly—hopelessly—seeking nothing

beyond their present state—forming no vivid hopes—awakening to the impulse of no strong desires—but in the apathy of a deep content, that renders extraordinary action nearly impossible, and gives to remarkable conduct, and the display of unusual energies, the appearance of wild absurdity. Circumstances, the business of life and its necessary duties, with the natural indolence of man, offer some excuse for this condition. For the first, very often, compel us to a course so opposite to the one we wish, that despair, utter despondency, and a blank indifference, with the more fatal wasting of our powers, follow in the perverted channel of our hopes; the second, by engrossing the attention, subdues all sensibility, and impels the whole mind towards the things solely connected with self; the third brings on that inaction and languor, both of passion and sense, that do not admit of our shaping a vigorous form, even from the materials we possess. So that the mass of men exist on one uniform level, showing, to him who seeks, the essence of their nature; but the dead sea of all existence, their souls, rise not beyond the pervading torpor that weighs, with its leaden repose, on the universal mind; and but one circulation of life, but one stream of thought, seems to flow within and through vessels that lead to the centre, which animates it. Still, it is almost impossible to doubt but that there is, with all men, a very subtle individuality, though, from the terms on which they hold their being, it is difficult to seize or unfold it. It is only then among the greater minds that have less in common with the inferior, that it is possible to mark distinctive peculiarities, though with them it is exceedingly difficult to divine the origin of all that seems so strange and wonderful. Even these, earth's governing spirits, are not exempt from the influences that affect their followers. Education, with its early hues, that as life advances deepen and darken, shadows the mind it has assisted to form; circumstances that the most powerful cannot resist, mere accidents in the diary of life, turn to important events, and alter, like the ocean's counter currents, the course on which we were moving, and fling us into the tide's opposing eddy.

To these all must submit. The strong intellect hardly has a resource more than the weak; it cannot disencumber itself, though struggling with the firmest determination to do so, from these, seemingly, to the superficial observer, gently binding webs, but which multiply their coils, and draw around us, still firmer with time, the folds that at length gather over and impede the movements of the spirit. It is such influences that modify and reduce to great uniformity the mass of mankind; but from the conflict with these influences, the struggle between our disposition and our destiny, come the errors and the eccentricities of genius; those dark humours, those fierce out-

pourings of a proud and gloomy spirit, which cannot brook submission, or bear, with resignation, the humiliating sense, that its position and its powers are wrongly placed and wrongly judged. With this clue, however partial in reality, we may be able, to some extent, to develop the character of any extraordinary man; and it is a test like this with which we may strive to lay open the source of the peculiarities, and all the engaging, all the apparently repulsive qualities, all the inconsistent and uncommon conduct of the man, and all the beauty of the mind of Shelley.

We are aware that in speaking of him we shall stir very strong prejudices. His early conduct, and his more mature opinions on subjects that the wisest consider as involving man's deepest interests, have given to his name an unfortunate celebrity, and a reputation that the most liberal must regret, the more moral portion of society regard with suspicion. Yet if there are any who should know how to forgive, it is those who have the best right to condemn. But in this instance there is every excuse, every motive for pardon, that youth and inexperience, a deep love of truth, a strong spirit of enquiry, and an openness to conviction, can create. There was no expression of doubt, no scepticism for the mere love of argument, or for the sake of singularity. But he could not yield to the reasonings and the faith of others, because he saw sources of hesitation which others, perhaps, could not reach, or which they declined trying to open with the keen edge of reason, feeling satisfied that their powers were insufficient. There is a great difference between one who struggles with his whole soul, to develop the deep mysteries that encompass his being, that lie around and beyond him, that belong to the visible and the invisible, are partly matter, partly spirit, and one who falls supinely on the faith that is given him, without seeking farther than those barren limits the human intellect has formed—without roaming on those high quests that lose us in their vastness, and make us droop with their difficulties. We do not say that it is wise, thus to question of things that give no response, to send the soul among the dark confusion of unintelligible existences, the wild chaos of dim uncertainties, and try to grasp the very foundations of creation and the worlds that lie beyond. It may not be wise thus to ascend among the realms of light, where it was never intended the human mind should move, while it holds its present relations, and where all it gathers is still farther doubt as to its nature and powers, a still stronger confirmation of its ignorance and incapacity. But there are spirits that appear to have no home upon the earth, who cannot so control themselves as never to burst the bonds of mere reason, and float with glad wings in the far spheres of speculation. They love the mysterious—all that is without the scope of thought—where they may hazard

the wildest fancies, and follow all their strange suggestions, engage among those transeendental wonders, where imagination, like the eagle, seems to rise towards the sun's eye and enter the depths of its blaze and glory.

Of this cast was Shelley. And no poet ever seems so completely to have lost himself in the wild abstractions of his brain—to have removed himself so far from the sphere in which he lived, or to have held counsel with creations so totally different from those about him, as to make the world and life but matters of inferior consideration. His thoughts were seldom of, or on the earth; they were gathered in regions where others were strangers—they were expressed in a way that showed their dreamy and distant origin; and altogether his mind seemed to be as far removed from this orb, as is consistent with the possession of sanity. He was indeed a visioned poet in his dreams, with no grossness, no sensuality, but with every mental operation bearing the blush of that beauty and refinement that were parts of his nature. He was truly the poet of intellect and feeling, but not of passion, in its common sense. Poets seem generally acted on from without. From the acuteness of their sensibilities all external things have a deep influence, and they are moved as the harp by the wind. But it was not so with Shelley. He was purely a creature of imagination—a being so spiritual that he and the world had nothing in common; their only bond was in the higher powers of mind—the purity of moral excellence—of sentiment, and all that was great or exalted; but through nothing that partook of earth or its energies. Thence he was cut off from the common lines of communication with his fellow creatures; and save the communion of a few who could understand the order of his character, his soul lived in solitude, without sympathy or its solace.

By all those who have the presumption or the courage to mock at this species of intellect, it should be remembered, that they are not, themselves, persons of genius; that they are united by no common bond with such; that they hold no power by which they can unravel the workings of a great soul, or enter the recesses whence all that is marvellous in its passions and its energies is made to flow. Genius is in itself a mystery; a wonderful endowment, and first of all created things. Whatever may be its real nature, which it is not given to man to know, it forms the sole link between him and the spirit of the universe. This is enough to show its importance in the scale of things, though it does not declare its destiny. There should be, then, great caution, in ridiculing its peculiarities, for these are not acts of volition, but parts of its very nature. Because it dares to rise beyond the realities of ordinary existence, to question of the great intent of all it sees, and search out their origin, however

wild it may seem to those who are content with the humble offices of their inferior intellects, there need still be nothing absurd in the endeavour,—it may be, as indeed nearly all the movements of genius are, an impulse it cannot resist, coming with the strength and heat of inspiration ; something ordained to enlarge the bounds of mind, and add, as has been done, by the discovery of new bodies in the farthest parts of the heavens, to the knowledge of man, to the light that now gleams but dimly over the wishes of his spirit, and the prospects of his being. All should judge of the eccentricities, the perversities, the apparent inconsistencies of a great soul, with benevolence, and decide on them with mercy. There is, undoubtedly, a feeling of humiliation, even of despair, in viewing those errors, and dangerous aberrations that often mark the course of the greatest intellects, and which overshadow the hopes that inferior minds are disposed to affix to their high powers, and cloud the destinies that sometimes break upon us, in following the track of the highest order of intellectual greatness. But it is, perhaps, only when the deviations are from the path of morals that they should be judged with severity. Then all can be their censors ; but in things relating exclusively to the movements of mind, censure should be cast on them in the spirit of kindness and pardon. It is given to few to conceive, to still fewer to feel, the influences that act on such beings from within and from without ; the keen susceptibility, the dark and even fierce aspirations, the wild wanderings of a tortured spirit, when in its moody moments it meditates on the inefficiency of all its efforts to discover, by thought, more than fancy has already suggested, or to shape from the records of its knowledge a more certain and less obscure evidence, as to all relating to its position and its prospects. It was in some of these moments of deep despondency, that Shelley expressed himself an atheist. His mind was ever directed, even at the earliest age, towards the most abstruse and the loftiest speculations. There was no love of trifling, nothing humorous in his character ; but all his faculties were intensely bent on matters that concerned the welfare of his species,—on subjects that a humble reason can grasp, though they may be made to blend with the wildest metaphysical absurdity ; and where that which belongs to the common affairs of life becomes irradiated by imagination, and the real, obscured by intermingling with the fanciful. At Oxford he involved himself in the doctrines of Plato ; and, like most imaginative persons, was impelled, in the heat of enthusiasm, to yield an implicit faith and give an actual existence to the visions of his brain. He believed, with that philosopher, that all knowledge is reminiscence ; that our immortal part has belonged to some predecessor ; and that our minds, instead of gleaning for themselves, the

little that they know here, are only renewing the memory of forgotten thought. To one who fully believes this doctrine, it is necessary to suppose infants in the possession of a mature intellect, and that they are the incarnate representatives of some former life. We will make another extract from the records we have before quoted, that delineates, very strongly, the singularly enthusiastic and imaginative character of the poet.

"One Sunday we had been reading Plato together so diligently, that the usual hour of exercise passed away unperceived: we sallied forth hastily to take the air for half an hour before dinner. In the middle of Magdalen bridge we met a woman with a child in her arms. Shelley was more attentive, at that instant, to our conduct in a life that was past, or to come, than to a decorous regulation of the present, according to the established usages of society, in that fleeting moment of eternal duration, styled the nineteenth century. With abrupt dexterity he caught hold of the child. The mother, who might well fear that it was about to be thrown over the parapet of the bridge into the sedgy waters below, held it fast by its long train. 'Will your baby tell us any thing about pre-existence, madam?' he asked, in a piercing voice, and with a wistful look. The mother made no answer, but perceiving that Shelley's object was not murderous, but altogether harmless, she dismissed her apprehensions and relaxed her hold. 'Will your baby tell us any thing about pre-existence, madam?' he repeated, with unabated earnestness. 'He cannot speak, sir,' said the mother, seriously. 'Worse and worse,' cried Shelley, with an air of deep disappointment, shaking his long hair most pathetically about his young face: 'but surely the babe can speak if he will, for he is only a few weeks old. He may fancy, perhaps, that he cannot, but it is only a silly whim; he cannot have forgotten entirely the use of speech in so short a time; the thing is absolutely impossible.' 'It is not for me to dispute with you, gentlemen,' the woman meekly replied, 'but I can safely declare that I never heard him speak, nor any child, indeed, of his age.' Shelley sighed deeply as he walked on. 'How provokingly close are those new born babes,' he ejaculated: 'but it is not the less certain, notwithstanding their cunning attempts to conceal the truth, that all knowledge is reminiscence: the doctrine is far more ancient than Plato, and as old as the venerable allegory, that the muses are the daughters of memory; not one of the nine was ever said to be the child of invention.'"

With all his feelings and thoughts engaged in subjects such as these, and with the habit of severe study and deep thinking, it was not possible that the one topic, which transcends, in interest and importance, all others, should have been passed over idly,—the existence of a Deity. With a large portion of the world it is a matter seldom dwelt upon. So much of life is mere habit, that the human view is not often attracted beyond the affairs of daily occurrence; but with minds of a higher order it is one of the things on which they meditate the most frequently, the earliest, and the most anxiously. Shelley very naturally became, at an extremely early age, an inquirer into the mysteries that surrounded him. He regarded nothing with indifference that seemed to bear on man or his interests;

every sentiment seemed to float on a tide of the most cheerful and unbounded philanthropy. The whole moral beauty of his character was displayed in the nobleness of his purposes and the enthusiasm with which he pursued them. Religion, God, the present and everlasting condition of his fellow creatures, appeared, in the eagerness with which he studied them, to be blended with the very fruition of his existence. But his spirit of enquiry was directed by a pure and benevolent impulse; there was none of the coldness of Hume; none of the malignity of Voltaire, nor of the cowardly cunning of Gibbon. He professed his opinions openly, and though with the audacity of youth and inexperience, still with all its honesty. He had no reserve,—his heart lay bare, and though, without doubt, the opinions in themselves were dangerous, even uprooting the very basis of society, yet much of their venom was removed by their candour, the sincerity with which they were expressed, and the readiness that was equally displayed to be made their martyr. *Queen Mab*, the work in which these heresies were first given to the world, was published without his consent, and after he had retracted many of its worst sentiments. He should stand, therefore, excused from all design of doing harm, and even from blame that he ever held such notions, since they were no longer his at the time of their publication.

We know how to comprehend the process by which a *young* man may become an atheist or an infidel. The ignorance and impetuosity of youth—his daring will and strong passions, are unfortunate and imperfect elements for the construction of a belief. The desire of knowledge does not point out at once the way to gain it, and a violent and hazardous struggle hence ensues in a mind that questions of its momentous interests, between its feeble powers of judging, and the rash rapidity with which it bounds to a conclusion. Every youth, whose intellectual aspirations rise to the questioning the awful and inscrutable things he is told that he must believe, takes upon himself a tremendous task. It is easy, as it is common, with all who reflect but superficially, to throw themselves on the negative energies of doubt. It requires no waste of time or mind to entrench one's self there. Every anxious misgiving, all noble desire of knowledge, is at once quenched in the deep tranquillity of that passive and supine condition. Yet nearly all young minds make it their strong hold for a time. Never having encountered the fearful difficulties of thought, they attach but little interest to subjects of whose importance they are not aware, and which exact from the most powerful intellects the strongest and most serious reflection. Even with those who give all the attention they can, and in the sincerest spirit of truth, there is a

wide circle, a dark and dangerous tract to go through—first of enquiry, then of doubt, then of infidelity, before the reason is satisfied; and the agitated feelings, hope and despair, settle on the unruffled bosom of faith. Not unfrequently the miserably troubled state of dissatisfaction and uncertainty lasts through life. The soul plunges itself into the purgatory of a false and feeble judgment and a confused reason, leaving every difficulty still more obscure, every danger still farther increased, every doubt stronger, every hope diminished. The paths of reflection grow more tortuous and indirect, and the same spirit that began its course in the headlong speed of young desire, in conceit and with rash reliance upon its own energies, lies broken and subdued before the impediments that rise like battlements, staying its advance or its receding. But this state comes more often when doubting has become habitual, and irresolution almost instinctive, for the clearest and soundest and greatest minds, so far as is known, seem never to have doubted, or to have satisfied themselves early.

“I had rather believe all the fables in the legend, in the Talmud and the Alcoran, than that this universal frame is without a mind,” And the mind that dictated these words is sufficient in itself to establish the belief in a God. Its own marvellous greatness is overwhelming testimony. But an atheist is a moral and intellectual excrescence, he closes against himself all the inlets of knowledge; his senses and his affections are bound down by the cold rigour of his intellect, and its inordinate and absurd demands. In the fact of his being so, he shows himself of a weak judgment. He brings forward no evidence to prove his point. All the arguments against him are positive. All those he adduces merely negative. The thing has not been made evident to him; therefore he does not believe it. It has not been brought within the experience of his senses; it has not been, or cannot be inspired by his reason; there are things incompatible with the existence of Deity, such as man would make him, with the power, the perfection, the benevolence they declare to be his attributes, why not make the revelation of his will and his designs more thorough, why not unfold this vast universe of miracles to human view? If we are immortal creatures, though we seem but atoms amid the boundless space of the stupendous whole, why not declare our destiny? and with reasons such as these, and such audacious questioning, the atheist hopes to unsettle the faith and overturn the system of morals the civilized world has adopted. But how can he answer when he is asked, are there not mysteries throughout all creation your conceptions and your understanding cannot reach?—is not the daily course of the world and life beyond your comprehension?—is not the smallest, as well

as the greatest incident, the earthquake or the tempest, the vast firmament, on whose abyss an infinite multitude of worlds seem to repose as gently as the bird upon the bosom of the air, the wide sea and the minute insect, are they not all equally beyond your capacity? Yet you can deny a creative Deity to these, a spirit presiding over their birth and upholding their existence, because you cannot understand it—because neither your sense nor reason can seize their deep mystery. But turn from the contemplation of vast objects, that subdue our intelligence in their immensity, and pain us in the agony of comprehension, to yourself; study and try to account for the movements of your own mind, bend all your attention to the metaphysics of your own soul, struggle with the remote links of cause and effect in the sphere of your own nature, try to catch the obscure association of ideas, all the various wonders that envelope and mingle in our brief and counted being. Do we arrive at any other result than the assurance of our complete ignorance, and the existence of some power transcending all we know or can conceive? And what other revelation is required, than the proof of the humbleness of our intellect, and its complete incapacity for that knowledge; and therefore its absurd audacity in doubting and questioning?

But Shelley's atheism was of an ideal nature: he felt that there was a power pervading and governing all things, but he knew not how to distinguish it, for he discarded all the common ideas that men attach to such a being, but worshipped it with all the deep homage, with all the elevation of feeling his imagination could produce—and endowed it with all the perfection, all the beauty that was imaged in his own soul. It was impossible for him not to acknowledge, in accordance with the sensibility that animated his mind, and the disposition to admire and even venerate, that was one of his strongest characteristics, the surpassing grandeur, the wide spread loveliness and majesty, that were inwrought with creation. He saw and he felt these, and thence came his impassioned sense of the great Author of all—and the conceptions that so far transcended those of other men. But he threw by all the attributes usually attached to him, except those of perfect benevolence and perfect excellence. It seems not to have been possible for him to conceive that all that was base in human nature, all crime, all vice, all misery, could be designed or flow from the same source whence sprung the loftiest virtue and the purest good.

“Hath nature's soul
That formed this world, so beautiful, that spread
Earth's lap with plenty, and life's smallest chord
Strung to unchanging unison, that gave
The happy birds their dwelling in the grove,
That yielded to the wanderers of the deep

The lonely silence of the unfathomed main,
 And filled the meanest worm that crawls in dust
 With spirit, thought, and love ; on man alone,
 Partial in causeless malice, wantonly
 Heap'd ruin, vice, and slavery : his soul
 Blasted with withering curses ; placed afar,
 The meteor happiness that shuns his grasp.

* * * Nature ! no !

Kings, priests, and statesmen, blast the human flower
 Even in its tender bud ; their influence darts
 Like subtle poison through the bloodless veins
 Of desolate society."

On this beautiful earth that he formed into a paradise,

" All things speak
 Peace, harmony, and love. The universe,
 In nature's silent eloquence, declares
 That all fulfil the works of love and joy—
 All but the outcast man.

Is mother earth
 A step-dame to her numerous sons, who earn
 Her unshared gifts with unremitting toil,
 A mother only to those puling babes
 Who, nursed in ease and luxury, make men
 The playthings of their babyhood, and mar,
 In self-important childishness, that peace
 Which men alone appreciate ?

Spirit of nature ! no.
 The pure diffusion of thy essence throbs
 Alike in every human heart ;
 Thou aye erectest there
 Thy throne of power unappealable ;
 Thou art the judge beneath whose nod
 Man's brief and frail authority
 Is powerless as the wind
 That passeth idly by :
 Thine the tribunal which surpasseth
 The show of human justice,
 As God surpasses man.

Spirit of nature ! thou
 Life of interminable multitudes :
 Soul of those mighty spheres
 Whose changeless paths through heaven's deep
 In silence lie ;
 Soul of that smallest thing
 The dwelling of whose life
 Is one faint April sun-gleam ;
 Man, like these passive things,
 Thy will unconsciously fulfilleth :
 Like theirs, his age of endless peace,
 Which time is fast maturing,
 Will swiftly, surely come :
 And the unbounded frame which thou pervadest
 Will be without a flaw
 Marring its perfect symmetry."

In these extracts from *Queen Mab*, we see the warmth and benevolence of his feelings, his love for nature and his species, and the tendency naturally flowing from such a disposition, to that most generous and rational, must we too call it improbable of all anticipations as the world is constituted, the perfectibility of man; yet, however hopeless and chimerical it may appear to those who think contemptuously of their kind, to one like Shelley it was an immediate consequence of his admiration of all that was great, and virtuous, and pure, and beautiful—whether in the works of genius, in man's moral character, or in the mighty structure of the universe. He saw it in the constant improvement of the human mind—in the rapid advance of all science—in the increase of all knowledge—in the progress of all institutions—and perhaps above all, in the quickening of half perished hope, by the struggles of the human soul, and the revolutions it has achieved.

There are parts of *Queen Mab* that violate the common respect men bear to the most important interests of life, but it should be remembered, that this was the first blush of indignation, the first outpourings of the fierce feelings of an enthusiastic and imaginative youth, who had neither witnessed the strife of men's passions in the world at large, or felt the struggle in his own bosom, to which all must submit who mingle with them. He had not yet learned to chain his spirit to the barren rock of existence, or to concede to the feelings of others, or to look calmly on the union of power and wrong—to regard with indifference the warring woes of his fellow creatures, the blight of their hopes, the ruin of their interests, from the crushing influence and cruel tyranny of custom; nor had he gathered the cold experience that chills the life blood of young virtue, or reached that bitter condition when all feeling is mere habit, and time creates a philosophy of its own from the desolation of the soul. But he was yet governed by all the heated impulses of youth, and felt deeply the state that he portrays in these lines—

“ Ah! to the stranger soul, when first it peeps
From its new tenement, and looks abroad
For happiness and sympathy, how stern
And desolate a track is this wide world!
How withered all the buds of natural good!”

But we will now endeavour to find in his works the origin of his sentiments, for a poet's feelings form, in general, the history of his life; they are his daily and hourly record, the good and bad influences that control him, the powers that insure his distinction or his ruin, as a man and a writer. They are the impulses that hurry him on, through time and fortune, into action, that deep set energy of the spirit; and bear him on the current of his passions to that he seeks, fame, and towards that he hopes for, its immortality.

It is a subject of interesting speculation, how much of the poetic character depends on nature, how much on accident. At first it seems a matter of easy decision ; but, like most subjects of thought, as it enlarges before the mind, new views and new difficulties are presented. We are inclined, however, to think that the original disposition is the main agent in its formation, for it must be remembered that all who possess the gift of genius are above the common level, and of course under all or any circumstances, would be conspicuous and extraordinary. It therefore does not depend on accident to determine the station they are to hold, but only whether that can create a bias towards some pursuit to which they are not by nature disposed. We believe that "the genial current of the soul" may be frozen, that "full many a gem of purest ray serene" may be trampled on and neglected by the cold selfishness of the world, that

" Full many a flower is born to blush unseen
And waste its sweetness on the desert air ;"

that many a Hampden and many a Cromwell may die unknown, but we do not believe that any Milton ever passed from the earth, mute, inglorious and unhonoured. The first were men of the occasion, called forth and created by it, and might have lived within the quiet and obscure circle of their duties, without achieving a name ; but the last was a stupendous intellect, that under all or any circumstances would have found its proper sphere, and moved in the orbit of its own peculiar glory.

Fortunately it does not appear that the original disposition of men of genius can be easily altered or subdued. There is not only a resistless inclination to the thing they were designed for, but an intense gratification, an intellectual luxury in the fruition of the taste, and what is still more decisive with poets, the practice of their art and the deep enjoyment it gives becomes a necessity, and this produces a tenacity of purpose, that conquers and triumphs over every obstacle. For this reason, that which seems to the world impulse is not so, but instinct. It is the will of nature, bearing down the will of man. It is his destiny, conquering all opposition.

There is a distinction to be made between men of great minds and men of great genius. The first possess a general power and a general aptitude, that can be as easily applied to small as great affairs, while the last seem impelled by an inward passion that will have vent, or else feed on its own life. Thus there have been many distinguished commanders, many statesmen, who, but for fortune, might have driven the team a-field, and in ignorance of their real energies, have confined themselves to the narrow bounds of their humble conceptions.

So that it is opportunity makes the man, the want of it the fellow. But the peculiar genius of an individual is an express creation, that rises over circumstances and follows the star of its fate, and thus it appears that with all who are to be illustrious by the possession of some one talent, there has ever been a very early manifestation of its existence. Poets have generally begun their career almost as children. Nature works more strongly in them than in the rest of mankind, and their passions and their powers require a readier and more immediate vent than with those whose sensibility is less acute, and feelings feebler and less active. They seem more a part of all around them than other men—their sympathies are more extended and more easily acted on—there is a deep and strong response within their bosoms to all that flows over their souls from without. Sense is not with them, as with others, a mere torpid agent, that unfolds and brings forth nothing; nor is sensation a barren, unyielding principle, but like music, every external impression melts into the heart and becomes there a lasting affection, and to the mind a recollection and a power. Thought is with them an emblem of feeling, not of experience. Their meditations are not those cold reflections with which most go over the track of time. But they enter the past with all the eagerness of hope, with all admiration for the names it has recorded, with all veneration for the genius it has produced; they bring from it, to irradiate the present, all that is elevated in human character, all that can adorn and illustrate, or add, to the idea of human destinies. From feeling thus deeply there can be no doubt that all things and circumstances produce some effect, but the links of association are so indistinct, that it is impossible to tell what or how great the effect may be. The attachments and incidents of childhood and youth, our early home, our native place, our school days and its friends, that are forgotten in manhood, become the sole consolation of the old, the only tie connecting their frail tenure of existence with young hope and its pleasures, and the imagined joys, the importance that was attached to life, and figured in its distance. For age, like grief, lingers only with satisfaction on that which it has lost, and memory, that is dead to all about it, holds true only to the withered emblems of the past. But in what way does the mind receive an influence from impressions it cannot recall, or but faintly remembers; how is it that every faculty becomes coloured with hues that deepen with time, and how is it that the whole character is modified, or even transformed, by events or situations whose sole trace is in their consequences? All these sources of reflection increase the strangeness of our being, but go but a little way towards its metaphysical elucidation. The mountains, their torrents and their

rocks, do they create energy and elevation of character—is it possible for external objects to act on our nature, so as to make it partake of their essence; and is there in truth more originality and power with one who is born on the hill's side, and nurtured amid its wildness and grandeur, than with one who has shared the luxuries of wealth, is placed beyond the caprice of fortune, who has known no other life and witnessed no other scenes than the vice, poverty, misery and misfortune that spring and exist all around us within the walls of a city?

The history of the poetic character will not bear us out in the supposition that such things alter its nature or determine its inclination. The genius of the poet seems the only one that circumstances can neither subdue nor obliterate. It holds a life of its own, is its own quickening spirit; and its adamantine vitality gives way to none of the events that control and overwhelm others. This is more or less the case with all who possess some prevailing taste, for this becomes and continues the mind's governing element. Mathematics, natural philosophy, or natural history, do not require separate faculties, but the combined energy of many, and a particular mental bias and affection for the study. There may be with all these some strength of imagination, though the reason predominates. But with the poet there must be, to gather the fame he seeks, not only habits of meditation, and all the various evidences of a strong reason, but imagination too, in its deepest and fullest intensity, for there is a constant and intimate relation between all the different powers of the mind; and there is no such thing as a truly great mind, where there is any extraordinary deficiency in any one of its elements. Imagination is justly considered as the poet's essential and foremost quality, but the philosopher may possess it in all its strength, for who would deny it to Plato. Indeed, a great poet must of necessity be a great philosopher; and the last, in the very magnitude of his intellect, contains all or nearly all that belongs to the other, for the imaginative faculty, in the active sensitiveness of its nature, impels and urges all its intellectual companions through the vast circle of the realms of thought, and gleans and gathers amid the worlds where it soars, the ideas and the conceptions that they shape in the creation it has attempted.

With Shelley it was not only the power to which he was entirely submissive, but the faculty itself was of a nature the most extraordinary, and in a degree the most inordinate, that any poet ever possessed. Yet at the same time his reason, or whatever the faculty may be called that induces the logical disposition, was strong and clear, though both his conduct in life and the character of his works indicate that imagination had overwhelmed every other intellectual element. But we

propose, instead of giving large extracts that merely illustrate the beauty of his mind, to make a few, that by showing us the man, will create an admiration and an affection for him, and deepen the interest in his writings. The first are from the dedication to the *Revolt of Islam*, and so far as one's own testimony can go, there can be no stronger evidence at how early an age the benevolence of his nature began to work on the strength of his genius, and how strongly, even then, he revolted from what, in the limited view of his young perception, appeared to him to be the result of mischievous errors and ruinous vices, oppressing and perverting the spirit of man. But the lines also contain proof of the truth of the position that early circumstances may carry the taint of poison, or health and vigour, to the feelings of the after man ; for it appears that the tyranny he endured or witnessed during his school days made him the friend of freedom, and the resolute foe of all unnecessary control and all forced obedience.

“Thoughts of great deeds were mine, dear friend, when first
The clouds, which wrap this world from youth, did pass.
I do remember well, the hour which burst
My spirit's sleep: a fresh May-dawn it was,
When I walked forth upon the glittering grass,
And wept, and knew not why ; until there rose
From the near school-room, voices that, alas !
Were but one echo from a world of woes,
The harsh and grating strife of tyrants and of foes.

“And then I clasped my hands and looked around,
But none was near to mock my streaming eyes,
Which poured their warm drops on the sunny ground ;
So without shame, I spake: ‘I will be wise,
And just, and free, and mild, if in me lies
Such power ; for I grow weary to behold
The selfish and the strong still tyrannise,
Without reproach or check.’ I then controlled
My tears, my heart grew calm, and I was meek and bold.

“And from that hour did I, with earnest thought,
Heap knowledge from forbidden mines of lore.
Yet nothing, that my tyrants knew or taught,
I cared to learn ; but from that secret store
Wrought linked armour for my soul, before
It might walk forth, to war among mankind ;
Then power and hope were strengthened more and more
Within me, till there came upon my mind
A sense of loneliness,—a thirst with which I pined.”

In these three stanzas we have the history of the boy: the strong feelings working within him, till they became a deep agony,—their yielding to the influence of the loveliness of nature, and, amid this despair, the resolution to disregard personal interests, and devote himself to mankind ; then the

desire of sympathy coming forth from the depth and sternness of his high resolve, with some one who would appreciate him, and on whom he might bestow the tenderness of his sensibility, and its intensity. In the "Hymn to Intellectual Beauty," we trace the same imaginative being, borne on by the great faculty of his nature, and pursuing all the fancies it created and nurtured.

"While yet a boy, I sought for ghosts, and sped
Through many a listening chamber, cave, and ruin,
And starlight wood, with fearful steps, pursuing
Hopes of high talk with the departed dead.

"When musing deeply on the lot of life, at that sweet time when
winds are wooing
All vital things that wake to bring
News of birds and blossoming.
Sudden, thy shadow fell on me :
I shrieked, and clasped my hands in ecstasy :
I vowed that I would dedicate my powers
To thee and thine. Have I not kept the vow ?

"They know that never joy illumed my brow,
Unlinked with hope ; that thou would'st free
This world from its dark slavery.
That thou, O awful Loveliness,
Would'st give whate'er these words cannot express.

"Thus let thy power, which, like the truth
Of nature, on my passive youth
Descended, to my onward life supply
Its calm, to one who worships thee,
And every form containing thee,
Whom, spirit fair, thy spells did bind
To fear himself, and love all humankind."

In these extracts we can discover the character of the man and his mind ; the germ both of his conduct and his writings ; and that love of the ideal rather than the actual, that forms the beauty and vice of his poetry. Of this, the pervading fault is an indistinctness ; a remoteness from the usual association of ideas, from that continuous chain, connecting the minds of men,—a something wild, and singular, and unnatural, in the thoughts, and mode of expressing them,—a peculiarity so extraordinary that but few are or can be interested, and still fewer are roused to the degree of sympathy with the author, which produces pleasure, or even awakens attention ; for most persons read poetry as a pastime, and a luxury, but seldom as a study. They are, therefore, repelled, by difficulty, by all that is harsh, all that does not flow and melt into their minds without exertion. Yet there are some who are willing to meditate and not lounge over the poet's thoughts ; who have too high a respect for poetry as an art, to enjoy it merely as a

temporary and idle gratification. And such are the best judges of its merits, since they disentangle all obscurities, and unfold the remote allusions the poet's imagination brings within the range of his subject, and scale the heights where beauty gradually bursts upon them, as they rise, and the scene becomes more full of splendour and power, as the view takes in all its parts. It is to such adventurers in the realms of poetry that Shelley will be an idol; to that choice few whose taste can find congeniality, or whose faculty of admiration can extend beyond the bounds of a particular species of composition; and, fortunately for literature, it is this select few who confer fame and immortality; but to the mass of readers he will ever remain unknown, or be as little read as Milton.

All his best works are idealisms of virtue, expressive of conditions of the human being that he is not yet fitted for; poetical abstractions, beautiful visions that are first conceived in the purity of the heart, and then encircled with the magic influence of imagination, and all the gravity and grandeur of deep thought. The Revolt of Islam is one of these high-wrought fancies. There we have the vain conflict between wisdom and power, an emblem of things as they were; the desolation that tyranny and its capricious will brings over empires and ages; the degrading effects of custom, from the servility with which men obey it; the blight with which ignorance withers and oppression crushes the human soul; at length the terrible reaction, when the over-tortured spirit of man bounds from its chains at the call of liberty—and then, mild and beautiful images of perfect love and perfect happiness; the advancement of knowledge, the elevation of human hopes in the change of man's destinies, and the gradual preparation and steady approach towards perfection. These form the poet's vision, and there needs no other testimony to the nature of the object for which he lived. It fails in interest with common readers from metaphysical obscurity, an overlaboured refinement of thought perhaps from too excessive a brilliancy in the ideas, and the sea of metaphor over which the reader is obliged to move in the roll of the poet's mind; yet there is a vigour and a richness both of imagination and intellect, that remind one, though they exceed him, of Spenser. But perhaps the best of Shelley's works are the "Cenci" and the "Prometheus." The first, revolting as the subject may be, is the best drama of the time. It is the only entire production of his, in which he has allowed himself to descend to earth, and mingle with the common passions of his nature. But here he comes down from the lofty, dazzling, and over-elevated spheres, where his conceptions seemed to float with an easy strength that showed they were in their element, to the actual existences and realities that were too gross for his affections or his thoughts, to that com-

mon life from which he recoiled with an instinctive sensitiveness. It was written with more labour than any other of his works, so little accustomed was he to make man, in his more degrading points of view, the subject of his contemplations ; but the result is in proportion to the difficulties with which he contended. The fearful ferocity of the father, the hideously unnatural mockery with which he scoffs at the feelings of a parent, the cold-blooded determination to commit the crime, that men's lips can hardly utter ; the noble spirit and daring resolution of the daughter, that triumphs over fear, and all the mildness of her sex and love of a child ; her hesitation, between doubt that her nature calls up, and the determination that self-defence, and the claims of virtue, and even duty demand—together with the necessity of perpetrating a horrid purpose, and the shrinking from its execution—are delineated with great force and consummate art. But the effect is heightened, by knowing that the tragedy is the relation of a fact : that it is not one of the dark and terrible delineations that are sometimes framed by an overwrought and heated brain, a morbid and distorted caricature of human passion, but a plain matter of real life and actual occurrence, which history has recorded among its scenes of pain, disgust, and horror.

The Prometheus forms a medium between his disposition to metaphysical analysis and refinement, and that which is more appreciable and intelligible to minds in general. It displays the greatest command of language, when we consider the extraordinary nature of his ideas, and on an occasion the most difficult. He gives an interest to the agony of the Titan, by making us feel that in his sufferings he expresses his own detestation of tyranny and oppression. But the imagery is drawn from obscure sources, and though highly intellectual, is too far removed from any association with ordinary incidents and the ordinary feelings of men, to give it the hue of action and passion that produces popularity ; yet the whole is wrought with a Titanic energy that declares how near he could approach to the models he professed to imitate. Both these works were written at Rome, whose name, whose climate, whose dying grandeur and forsaken ruins, sink deep into the minds of the most humble, and forbid that there should be any thing mean or common-place even in their thoughts. But to genius it is the shrine before which it falls in ecstasy and admiration ; the soul there drinks deep of all beauty ; the walls and arches and columns, all the gigantic fragments of men's minds, though but dust, and though its greatness is now a dream, yet all are sources of power : and the spirit, in breathing the atmosphere of inspiration, seems to be elevated and to partake of the immortal life that dwells among the monuments which surround it. The shades of the dead, the ruins of empires, the majesty and

glory of the past, with the mysterious influence with which genius hallows all that memory there rests upon, rouse an emulation, deeper, purer, and more powerful and noble in its ends and energies, than the coarse ambition excited by throwing our hopes on the rough struggles and fierce passions of everyday life ; and though Shelley had no ambition, in the general meaning of this word, he could not escape from the charm and enchantment that breathed over his intellect. It is impossible to say all we would wish, as to his poetry, but we cannot close our remarks without noticing the "Adonais," or Elegy on the Death of Keats. Our only extracts will be a few lines from the stanzas, where he brings round the grave of Adonais, those of the poets whom he knew best. First is Byron :

"The Pilgrim of Eternity, whose fame
Over his living head, like heaven is bent."

The second, Moore :

"From her wilds Ierne sent
The sweetest lyrist of her saddest wrong,
And love taught grief to fall like music from his tongue."

The third is himself.

"'Midst others of less note, came one frail form,
A phantom among men ; companionless
As the last cloud of an expiring storm
Whose thunder is its knell ;
A pard-like spirit, beautiful and swift,
A love in desolation masked : a power
Girt round with weakness."

The fourth is Leigh Hunt. The denunciations he calls down on the Reviewer of Keats's *Endymion* are powerfully expressed :

"Live thou, whose infamy is not thy fame ;
Live ! fear no heavier chastisement from me,
Thou noteless blot on a remembered name ;
But be thyself, and know thyself to be."

Among his minor pieces there are many very beautiful, but we have done enough to declare our own admiration both of the man and his writings. Our sole wish has been to draw from the imperfect towards the more perfect, to raise on this side of the water our voice in favour of one, who is perhaps but little known, and this knowledge acquired from those who were his persecutors—whose task and duty it was to make him infamous. But, time and truth ever move together, and both of these are now working in men's minds, and both ere long will establish the fame and hallow the genius of the gentle and desolate Shelley.

ART. II.—*Memoirs of the Historical Society of Pennsylvania.*
Vols. I. and II., and Part 1 of Vol. III. Philadelphia.

The above volumes, together with three annual discourses in a pamphlet form, (the last delivered in 1834,) embrace all the productions of the Historical Society of Pennsylvania which have yet seen the light. Sufficient time has elapsed since the last publication to authorize the expectation of additional contributions to the history of the state, which, we trust, will not be long withheld. At present, our design is to draw public attention afresh to the labours of a very valuable society, which deserve to interest the whole community.

A lawyer is said but to discharge a mere social duty, when he casts in his mite of learning or research to the common stock of professional contributions. He lives not and labours not for himself alone. Although success brings him a fruitful harvest, his nights of watchful study and his days of painful labour are not merely to confer upon *him* present competence and future renown. No; he is one of the suitors of a jealous mistress, who demands that he shall proffer to *her* the valuable results of his well-spent years of mental exertion, that she may add them to her storehouse of legal treasures, the foundations of which were laid by a Bracton and a Littleton, and into which she welcomes the youthful student. This demand, the members of that profession are found, at all times, willing most cheerfully to obey; and the science of the law has, therefore, never needed votaries to record and illustrate her principles. But, are the claims of a single profession upon its members, however strong, superior to those of a state upon its citizens? Has the latter not as powerful demands upon her subjects to secure the transmission to posterity of the best and amplest means of investigating and recording her history? Is no blame or neglect to attach to a generation, if facts perish, or are discoloured or perverted, because their proofs have been swallowed up in the gulf of time? Is not this especially the case in communities which have not been the product of chance or accident, but have been advisedly planted with reference to certain great maxims whose validity they were nourished to test, and whose value their success has so nobly proved?

Our ancestors made experiments. They sowed the seed. They tilled the ground and nourished the young plant upon certain axioms, till then never put into full and fair operation. We are the fruit. Dropping the metaphor; we are here with certain principles instilled into our very nature, which we retain with unconquerable tenacity; with certain physical and moral peculiarities of constitution and character—with

capabilities immense, though scarcely yet fully appreciated; and with a destiny which nothing short of prophetic vision would dare to measure; and our country demands, with unanswerable propriety, that we neglect no opportunity of recording, for the guidance and instruction of our descendants, all that may throw light upon the dawn of our nation—upon the character, views and principles of its founders—upon the aims of its early statesmen; in a word, upon the maxims and career of our forefathers.

We have seen, with the most lively satisfaction, a spirit of this description growing up among us during the last few years. Contributions to the history of our Union, in the publication of the lives and writings of our revolutionary worthies, have been presented to the public, which have served not only to increase the stock of historic information, but to adorn the literature of America. Histories and biographies indeed—the useful rather than ornamental—seem to accord with the national taste; and though we may occasionally desire to anticipate the era of refined and imaginative literature, (which we trust will one day shine upon our land,) yet we are far from disposed to repine at our lot. There is, however, notwithstanding this growing taste for national history, a comparative indifference towards the particular history of any state; the special circumstances under which she was planted, and the effect these have produced upon the character of her institutions and people. This, in a country like ours, a federative, not a consolidated republic, is a consideration of vast importance; and to one disposed to speculate upon the capacity and destiny of any particular portion of our empire, essential to the formation of a right judgment. The different sections of the United States have been settled under widely diverse circumstances; by people differing in their religious tenets, their tastes, prejudices, antipathies and predilections, nay, even in their degrees of democratic fervour; these, too, more or less modified by physical diversities of soil and climate. The Revolution happily induced a mixture of such duration as to give rise to a considerable homogeneity, which our union has most fortunately preserved and increased. Still the circumstances of origin have proved so powerful in their influence, that certain quarters of our land exhibit natives differing from each other quite as much as some of us do from our English brethren, and, except in language, as entirely as Frenchmen and Spaniards.

The advantages, then, of Historical Societies in the several states are many and obvious. They would serve not merely to collect and perpetuate details which might otherwise be entirely lost, but each state would thus be enabled to gather whatever was peculiar or characteristic of herself; to enlist in

“How little of this has been done in respect to the nations of the other three continents !”

Mr. Rawle proceeds to remark on the variety of national origin which characterised the infant colony of Pennsylvania : English, Swedes, Dutch, Germans, Irish, Scots, and French, all planted their emigrating feet on her territory. Far otherwise with New England, generally, and with Virginia proper ; for the settlements in those parts were of a homogeneous description. Their colonists were all Englishmen.

One fact which the learned writer regards as unaccountable, viz. the indifference evinced by Penn towards inland exploring expeditions, we think may be explained by an attention to his character and views. Penn's information had led him to know the results of all such crusades ; disastrous alike to the explorers and the poor Indians. The course of any such expedition would inevitably have been marked with blood ; and the shedding of a drop was abhorrent from the feelings of the founder. Besides, the motive was wanting. He came not, either to “spy out the nakedness of the land,” or to hunt after the hidden wealth of the aborigines. Their gold and their silver he wanted not ; and their precious stones, if any, suited not the habits of himself or his followers. The presence of such visitants would have blighted the hopes of his settlement ; for industry was to be the gold and silver of the colonists, and temperance and virtue their jewels. Penn, moreover, possessed a general knowledge of the country ; and his treaties of amity with the natives were the most effectual sources of information, by means of voluntary communications from themselves.

The whole conduct of Penn in his mode of acquiring the soil of Pennsylvania, is further sketched in this interesting discourse. A comparison is instituted with the modes of settlement pursued in some of the sister states ; and while great candour is evinced in discussing the conduct of others, the merits of William Penn are clearly established and maintained.

Considerable doubts were, at one period, entertained as to the locality of the great treaty between Penn and the Indians, in 1682, and the subject was thought worthy of separate consideration. A memoir upon the point was prepared by Roberts Vaux, and read before the society on the 19th of September, 1825. The careful investigations of this gentleman established the fact, in accordance with popular tradition, that the treaty was held under the great elm, in the district of Kensington, formerly called Shackamaxon. This “time honoured” tree was uprooted, and fell upon its parent earth, during a violent storm that occurred in 1810. Its age was then ascertained to be 283 years ; so that at the time of the treaty it was 155 years old. Its trunk measured 24 feet in circumference. Near the spot

where this noble specimen of the American forest once stood, and covered with its branches as beautiful a scene as the annals of the world can present, there now stands a plain, but substantial, obelisk of granite, a memorial of rare human virtue.

Mr. Vaux also delivered an anniversary discourse before the society, on the 1st of January, 1827, being, at that period, one of the vice presidents. His object was to illustrate the treatment, by Penn, of the Indians, and to vindicate the behaviour of the quakers towards the provincial government. This he performed most successfully. He referred also to the founder's design in his settlement, as not the mere ambition of founding an empire; though, upon the principles which he put in operation, that were a noble ambition; but the improvement of the condition of the natives, and the extension of the blessings of Christianity and philosophy over savage shores. He quoted an expression from Penn's petition to King Charles, which evinced that great man's intentions. One of his purposes he declares to be "the glory of God, by the civilization of the poor Indians, and the conversion of the Gentiles, by just and lenient measures, to the kingdom of Christ." Mr. Vaux proceeds to sketch, in a very interesting way, the general conduct pursued towards the natives during the progress of Pennsylvania in population and grandeur, and to portray, in its true colours, the course of the philanthropic Friends, with respect to them. It is a bright inheritance for the members of that religious sect. It will go down to future ages, a more eloquent advocate than the most elaborate panegyric.

We cannot leave this discourse of Mr. Vaux without adding in regard to the author—we may do it here with propriety, as the grave has closed over him—that he was one of the most zealous and untiring in the elucidation of the history of his native state, and in the promotion of those grand plans of philanthropy which are her chief glory. The Historical Society of Pennsylvania is much indebted to him for his useful labours in her behalf.

The pen of the learned Duponceau would hardly be idle in a society of which he was a member, and particularly of an institution that offered so many opportunities to one eminently skilled in philology. In Indian tongues his proficiency is notorious, and indeed in all the antiquities of this continent.

The council of the society invited Mr. Duponceau to translate, from the Swedish, a History of the Province of New Sweden, (as Pennsylvania was once called by the Swedes,) a production of Thomas Campanius Holm. With this request he promptly and cheerfully complied and, in addition, enriched his translation with some learned notes. To this production, the translator, in his preface, assigns its true value—and wherever the occa-

sion was appropriate, he corrected its errors and supplied its defects. The author's talents and judgment, Mr. Duponceau rates not above mediocrity, though he gives due credit to some of the interesting contents of the book. The account rendered by the Swedish missionaries to their spiritual superiors, in letters written before or about the year 1700, are replete with the most pleasing details, to which the perfect simplicity of the language lends additional attractiveness.

Further interesting and instructive disquisitions may be expected from the pen of this savant.

To the historical sketch of the university of Pennsylvania by Dr. Wood, now one of its Medical Faculty, we can here no more than refer—as an authentic and well written account of an institution in whose success every Pennsylvanian should feel a lively sympathy.

To the provincial literature of Pennsylvania, we turn with considerable satisfaction. A survey of this subject would convince the most credulous, that far from the policy of Penn having been hostile to human learning, the direct reverse was the case. The founder was a man of letters, and delighted in the converse of the learned. The same may be averred of Barclay and Logan and Story. Proud, the historian, possessed considerable erudition, and was a teacher of youth in a seminary of learning which had a charter from Penn. The charge of hostility to letters has been frequently brought against the society of Friends; but we feel convinced that an attention to the early history of Pennsylvania, will remove the imputation from them as a body.

We may dispose of the "Early Poets and Poetry of Pennsylvania" in a few words. We are indebted to the industry of Joshua Francis Fisher, Esq. for a faithful record of most of the early *rhyme* that budded in Pennsylvania. To dignify it with the name of *poetry* is profanation. The divine art is neither prose run mad, nor metaphysics, nor plain homely common sense put into jingle. So to class it, is to debase it to the level of chopping wood or running the lines of a survey. It is to deprive it of soul, which is its essence; for, when words come from the soul, the appropriate expression never fails them. "Thoughts that breathe," readily produce "words that burn." Moreover, the poets of a country are not they whose productions happen to be published there. Many of those mentioned in Mr. Fisher's sketch were Englishmen; but whether natives or foreigners, their proper designation is rhymesters, not poets. The rhymes, too, are no more *Pennsylvanian* than Swedish—contain nothing distinctive of the country, and could have been hammered out as well in one part of the world as in another. Peace then to the ashes of these *early poets*. May

no mistaken kindness hereafter disturb their remains. Let their modest worth ever be buried in the shades.

These remarks are, of course, not intended to detract from the merits of Mr. Fisher's communication, as a literary composition. It is very well written. This gentleman has proved himself one of the most valuable members of the society, whose archives he has enriched with important contributions, both of original memoirs, and valuable remains of the founder and others.

The colonial literature of Pennsylvania, to which we may with pleasure recur, is that which evinces the development of mind, and an attention to the all important topic of education. The literary remains of provincial Pennsylvania are those that might have been looked for from such a settlement. The settlers proceeded hither in the maturity of years; their tastes were Anglican, and already formed upon the models of their own land. They came to found a state, as we have before observed, by their laborious exertions, and not to revel in the ease and leisure essential to the production either of imaginative or abstruse efforts. There was too much about them of the reality of life, too many drafts upon their active faculties, too much of sober fact, to allow excursions into the regions of fancy, even if men like themselves were, under any circumstances, capable of this; which we do not mean to assert. They were all, eminently, practical men; but though this very circumstance indisposed them, or even rendered them unfit for the cultivation of the mere imagination, it conduced to their appreciation of the more solid constituents of learning. Hence, they turned their attention to the establishment of schools, of newspapers, and of periodicals of a more permanent nature; they planted the goodly tree, that their children might reap the fruit.

Thomas I. Wharton Esq., to whom the society is under obligations for some interesting and well written notes upon this subject, thus introduces his observations:—

“The first settlers of Pennsylvania were, chiefly, members of a religious society which has been supposed to decry and undervalue human learning, and to place literature, as well as painting and music, on its *index expurgatorius*. However truly this may have been said of some of the early teachers of that sect, certainly the colonial history of Pennsylvania affords no materials for the support of the theory. It is believed that no one of the states of this Union can exhibit so early, so continued, and so successful a cultivation of letters as Pennsylvania. Hardly had the emigrants sheltered themselves in their huts,—the forest trees were still standing at their doors, when they established schools and a printing press, to teach and to be enlightened: literally *inter silvas querere verum*. Within four years from the time that our ancestors landed in the wilderness, a printing press was at work in Philadelphia, sowing broadcast the seeds of knowledge and morality: and only a few months

her cause the affections and exertions of her own sons; and, in very many cases, the warm tribute of family reverence and pride.

The more early this praiseworthy project is perfected, the better for the history of any country. There are incidents of the infancy of every settlement, and traits in the character of all settlers, which find no faithful contemporary chronicler, but rest in the memory of aged though living witnesses. There are documents, too, such as original letters and memoranda, often highly important in their bearings upon public events, which misfortune or time may sweep from existence. For all such a receptacle is opened in a society of this kind, to which recourse by the future historian may readily be had.

These institutions are, of course, intended to furnish collections of materials for history, not histories themselves. The general subject, which, to be complete, necessarily embraces so many particulars, is subdivided into its several heads, which are assigned to as many different committees, who direct their undivided attention to the particular matter allotted to them. Upon this, therefore, it may fairly be presumed that all the information possible will be collected.

These obvious views arrested the attention of reflecting individuals in portions of our country, some years ago, and the result was the formation of Historical Societies or Institutes. The reputation of some of these, in a few of the older states of the Union, is already established; and to their proportion of well merited approbation in this particular, the Historical Society of Pennsylvania may confidently lay claim.

No state was more entitled to the exertion in her behalf, or offered a more fruitful field for research and for philosophical disquisition and investigation, than Pennsylvania. She was settled as no other nation on earth was settled. A plain, simple, unaffected and pious man—blessed with the purest and most enlightened principles of rational liberty, and with a heart warm with sympathy for his kind and able to resist the temptation of encroachment upon his fellow-men, though defenceless and ignorant, projects the foundation of an empire in another hemisphere. He calls around him men of his own persuasion, who had been taught by bitter experience the value of freedom of conscience, and had learnt to prize it above the honours and the splendours of the world; he tells them that they are to direct their course across the ocean, to shores inhabited by the wandering savage, and that by the blessed arts of peace, by negotiation and purchase, they are to obtain the soil for the building of a city of brotherly love. He lays before them the charter of his government, where the pure principles of humanity and republicanism (for they are essentially the same) are

embodied ; where provision is made for the full developement of all the powers of the human mind ; unlimited, unfettered freedom of exertion ; unfettered, save by the dictates of morality and religion. 'The views of this legislator are not narrowed to his own day or generation, but are calculated for all times and to endure with all men, for they are based upon reason, religion and justice. This project, which the mass of men would laugh at as visionary, or sneer at as simple, is steadily pursued and triumphantly consummated ; and an empire is founded in the midst of savages ; whose annals are stained by no blood, polluted by no craft or treachery, and disgraced by no persecution for conscience' sake.

The character, therefore, of the founder ; his principles, as compared with those of his age ; his morality ; his religion ; his statesmanlike views ; his equity ; his prudence and his firmness ; above all, his pure and stainless life ; form one prolific theme for the pen of the essayist.

The lives of the companions of Penn—the history of the first settlements made beyond the capital ; the growth of the different towns and townships ; the planting and increase of the various religious sects with which the state is now covered ; and the different sources whence the population of the state, more than ordinarily heterogeneous, was originally deduced ; present an equally abundant topic. Another, and certainly one of the most important, is the influence necessarily exerted over the future destinies of Pennsylvania by the peculiar characteristics of her settlers ; the effect of these upon her laws ; her social condition ; her police, her criminal jurisprudence, her literature, and the developement of her resources and energies. And, as connected with this last, the history of her jurisprudence ; her efforts in the cause of humanity and philanthropy, and for the amelioration of the miseries and the reformation of the crimes of poor human nature, and the striking features of liberality and equity which characterize all her institutions. But the themes are by no means exhausted. Others are presented by a consideration of the natural advantages of the state for agriculture, commerce and manufactures, and for internal trade ; the history of her system of internal improvement ; the native fertility and mineral wealth of the state, and the manner in which her mighty resources have been developed. The origin, fluctuations, embarrassments, and subsequent healthy condition of her currency—her banking system ; the foundation and growth of her corporations—stand prominently forth as objects of interest. Her party history is of deep moment to politicians ; for the demon of party emptied the vials of her wrath upon the land at a comparatively early day ; nor is the importance of this topic confined to mere politicians ; for the knowledge may be gained from such a survey, whether

the effects of these bitter contests have not been to depress the just influence of Pennsylvania in the Union, and to exclude many of her ablest and best men from her councils.

To but one more subject of historical importance shall we allude, before asking our reader's attention to what has been done in this wide field. We refer to the deeply interesting consideration of the condition of the aboriginal inhabitants of the state, at the time of its first settlement, and their gradual extinction; the peculiarities of their race; their advancement in refinement and civilization; their customs and religious belief and ceremonies. Their supposed origin, which hurries us back to remote antiquity, and their national vicissitudes, must ever excite our curiosity and sympathy, however we may differ as to the abstract right of acquiring their lands. Pennsylvanians are especially attracted to the story of one, probably the noblest and once the most powerful of all their tribes, the Delawares or Lenni Lenape: for they roamed in undisputed sway over her valleys, and claimed the dominion of her highest hills; and though they have now passed from the scene, been blotted out from the list of nations, and "their place knows them no more," yet the descendant of Penn looks back with anxious curiosity to the fate of those with whom the great founder smoked the pipe of peace and opened a negotiation, as with sovereigns of the soil.

In dwelling upon this head, with which the history of Pennsylvania seems to be especially connected, feelings of much more excitement than those of mere romance are enkindled. While the imagination is awakened, the heart is touched: and the deepest sensations of awe are felt at the inscrutable decrees of that Providence, before whose fiat populous and powerful nations have vanished like the air-built castles of a dream.—Indian horrors and Indian heroics are the tales of our childhood,—the experience of some, it may be, of our fathers; but they will soon be the record of tribes who, having "fretted their hour upon the stage" of life, are, now, "heard no more;" and their remains, but the occasional tumulus or time-worn implement of battle, which the antiquarian will scrutinize as attentively as he now scans the strange hieroglyphics of the Egyptians. Through all time, then, will the Pennsylvanian lay the unction to his soul,—not flatteringly deceptive if it prove the prompter to a constant adherence to rectitude,—that the stranger cannot point his finger to the page in her statute-book, or the act of one of her founders, by which a Delaware was driven to raise the loud cry of vengeance or even to whisper the suppressed moanings of oppression.

Prior to the formation of this society, in 1825, comparatively little had been done in Pennsylvania to illustrate her history.

In the year 1815, it is true, a committee of the American Philosophical Society had been raised, and entitled the "Historical and Literary Committee." Admission was, however, dependent upon membership in the Philosophical Society; and an institution of this description, to be generally effective, must be as liberal as possible in the way of addition to its numbers. The labours of that committee must, nevertheless, by no means be disparaged, though but a single publication has appeared under its auspices. The value of that one is estimated, as it deserves to be, most highly; and on that account, in some degree, compensates for its standing alone. We refer to Heckewelder's "account of the history, manners and customs of the Indian nations, who once inhabited Pennsylvania and the neighbouring states."* It is understood, also, that the committee above referred to has succeeded in obtaining a valuable collection of historical memorials which, it is hoped, will one day be given to the public.

Some patriotic gentlemen, in the year 1825, determined to use their exertions to remove this inattention to the interests of their native state, and formed the "Historical Society of Pennsylvania." They very properly considered it a duty, as well as a pleasure, to collect and preserve the evidences of the history of their state, from its earliest date, and announced their object to be the elucidation of her natural, civil, and literary annals. Their association established certain standing committees, to whom the different topics supposed to be embraced in the general plan were allotted. We shall mention them, that it may be perceived how far the society has undertaken to consider the numerous themes which a complete history of Pennsylvania would embrace. Some of those, which we have before briefly alluded to, it appears are not included in the duties of any committee yet raised. The defect, however, may very readily be supplied by an addition to the list. One subject, though exceedingly delicate in its character, if impartially and dispassionately treated would be powerfully attractive,—the party history of the state. Many of the contests are probably of too recent a date to permit this to be done in a desirable way, for the grave has not yet received all, even of the very early actors in these scenes: but we could extract from the survey a lesson that might make us wiser and better citizens in all future time.

* The value of this book of Heckewelder, the labours of the committee of the Philosophical Society, the origin and character of the important researches of the venerable Duponceau into the structure of the Indian languages of North America, together with some interesting remarks upon Pennsylvanian history generally, are to be found recorded in a series of communications, attributed to Mr. Tyson, and published in vol. ix. page 221 of Hazard's Register of Pennsylvania.

The standing committees are,

1. On the national origin, early difficulties, and domestic habits of the first settlers.

2. On the biography of the founder of Pennsylvania, his family, and the early settlers.

3. On biographical notices of persons distinguished among us, in ancient and modern times.

4. On the aborigines of Pennsylvania, their numbers, names of their tribes, intercourse with Europeans, their language, habits, character, and wars.

5. On the principles to which the rapid population of Pennsylvania may be ascribed.

6. On the revenue, expenses, and general polity of the provincial government.

7. On the juridical history of Pennsylvania.

8. On the literary history of Pennsylvania.

9. On the medical history of Pennsylvania.

10. On the progress and present state of agriculture, manufactures, and commerce, in Pennsylvania.

The manner in which the members have responded to the wishes of the society will briefly engage our notice.

Several very interesting papers which are inserted in these volumes relate to matters of mere local importance, or to the lives of individuals of great worth, but not connected, in either case, with the general subject of Pennsylvanian history. Our limits will not permit us to dwell upon all these subjects in detail; and we must therefore, necessarily, confine ourselves to those of greater importance, referring our readers to the memoirs for the other articles which will be found well worth the attention, not only of the antiquarian, but of every reader.

The principal topics of the discourses and memoirs, so far, have been the character of the founder and of his companions, and his vindication from the attacks of various historians; the nature of his settlement and the conduct pursued towards the aborigines; the influence upon the state, generally, of the religious society, under whose auspices she was planted; the provincial literature of Pennsylvania; her medical history, and that of her university; the famous controversy as to boundaries, between Penn and Lord Baltimore; and negro slavery and its abolition. Upon some of these we will offer a few remarks.

An inaugural discourse was delivered by the venerable William Rawle, the father of the Philadelphia bar,* on the 5th of November, 1825. The orator gave, as appropriate to the

* Since the above was written, the venerable President of the Historical Society of Pennsylvania has paid the debt of nature. This is not the place for his eulogy. We may merely say, that he died full of years and of honour.

occasion, a general outline of the duties of the institution over which he presided. He sketched the nature of the settlement by Penn, remarking that he and his followers came not to conquer, but to cultivate the soil; to civilize, not to extirpate the natives; to earn their bread and to gain property, if it were to be gained, honourably and nobly, by the sweat of their brow, not by reducing the helpless savages to slavery or by a rabid search after the precious metals. He endeavoured to depict the character of the settlers; most of them the adherents of a sect of recent origin, whose motto was meekness and benevolence, which their lives so well attested; and he asserted, with truth, the influence of the character of settlers upon that of the country planted by them. His remarks on this topic we are tempted to transcribe.

“It may perhaps be fastidiously asked, what interest can be found in the narrative of husbandmen or manufacturers, whose days were spent in unvaried labour and whose nights were disturbed by no external alarms; who prosecuted, in peaceful and obscure succession, the same alternation of toil and rest that are practised by men of similar occupations over all the earth? Why does the peasant of Pennsylvania, in her early days, deserve a higher place in history than the peasant of England or of France?

“To this we answer that, to our predecessors, these mere labourers of our soil, we look for the elements of that success which almost uniformly has accompanied our progress, and on the same principles the relation may also be of value to others.

“The character of a nation, although not always fixed by the character of those with whom it originates, often retains a tincture from it that affects its subsequent course. And hence it follows, that when we see a nation rolling tumultuously down the torrent of time, invading, overwhelming, and destroying whatever falls in its way, we are led to enquire whether its origin was not a military association.

“When we perceive another steadily pursuing a course of peace and concord, both at home and abroad, we are induced to suppose that it arose from the voluntary or casual union of men who cultivated the earth with honest labour, or in other occupations confined themselves to useful industry, uninterrupted by the calculations of ambition or the incentives to violence and injustice.

“If we are sometimes disappointed in such inquiries, it is from the want of this elementary evidence.

“It is true, that however carefully and wisely the foundations of society may at first be laid, we cannot always depend on their permanence. New motives, unexpected exigencies, sometimes arise, changing or totally subverting all original principles. The Arabian shepherd becomes a warrior. The Teutonic chiefs sink into peaceful farmers of the land which they have subdued.

“Yet still—if we wish to understand the nature of man, to become acquainted with ourselves; it is our duty, and in the prosecution of that duty we shall find it a delight, to ascend to the rudiments of social existence; to elicit theory from facts, and not to imagine facts for the purpose of supporting theories; and thus, if possible, to discover by what means, order, peace, and happiness have been, or hereafter may be, rendered most permanent and secure.

“How little of this has been done in respect to the nations of the other three continents !”

Mr. Rawle proceeds to remark on the variety of national origin which characterised the infant colony of Pennsylvania : English, Swedes, Dutch, Germans, Irish, Scots, and French, all planted their emigrating feet on her territory. Far otherwise with New England, generally, and with Virginia proper ; for the settlements in those parts were of a homogeneous description. Their colonists were all Englishmen.

One fact which the learned writer regards as unaccountable, viz. the indifference evinced by Penn towards inland exploring expeditions, we think may be explained by an attention to his character and views. Penn's information had led him to know the results of all such crusades ; disastrous alike to the explorers and the poor Indians. The course of any such expedition would inevitably have been marked with blood ; and the shedding of a drop was abhorrent from the feelings of the founder. Besides, the motive was wanting. He came not, either to “spy out the nakedness of the land,” or to hunt after the hidden wealth of the aborigines. Their gold and their silver he wanted not ; and their precious stones, if any, suited not the habits of himself or his followers. The presence of such visitants would have blighted the hopes of his settlement ; for industry was to be the gold and silver of the colonists, and temperance and virtue their jewels. Penn, moreover, possessed a general knowledge of the country ; and his treaties of amity with the natives were the most effectual sources of information, by means of voluntary communications from themselves.

The whole conduct of Penn in his mode of acquiring the soil of Pennsylvania, is further sketched in this interesting discourse. A comparison is instituted with the modes of settlement pursued in some of the sister states ; and while great candour is evinced in discussing the conduct of others, the merits of William Penn are clearly established and maintained.

Considerable doubts were, at one period, entertained as to the locality of the great treaty between Penn and the Indians, in 1682, and the subject was thought worthy of separate consideration. A memoir upon the point was prepared by Roberts Vaux, and read before the society on the 19th of September, 1825. The careful investigations of this gentleman established the fact, in accordance with popular tradition, that the treaty was held under the great elm, in the district of Kensington, formerly called Shackamaxon. This “time honoured” tree was uprooted, and fell upon its parent earth, during a violent storm that occurred in 1810. Its age was then ascertained to be 283 years ; so that at the time of the treaty it was 155 years old. Its trunk measured 24 feet in circumference. Near the spot

where this noble specimen of the American forest once stood, and covered with its branches as beautiful a scene as the annals of the world can present, there now stands a plain, but substantial, obelisk of granite, a memorial of rare human virtue.

Mr. Vaux also delivered an anniversary discourse before the society, on the 1st of January, 1827, being, at that period, one of the vice presidents. His object was to illustrate the treatment, by Penn, of the Indians, and to vindicate the behaviour of the quakers towards the provincial government. This he performed most successfully. He referred also to the founder's design in his settlement, as not the mere ambition of founding an empire; though, upon the principles which he put in operation, that were a noble ambition; but the improvement of the condition of the natives, and the extension of the blessings of Christianity and philosophy over savage shores. He quoted an expression from Penn's petition to King Charles, which evinced that great man's intentions. One of his purposes he declares to be "the glory of God, by the civilization of the poor Indians, and the conversion of the Gentiles, by just and lenient measures, to the kingdom of Christ." Mr. Vaux proceeds to sketch, in a very interesting way, the general conduct pursued towards the natives during the progress of Pennsylvania in population and grandeur, and to portray, in its true colours, the course of the philanthropic Friends, with respect to them. It is a bright inheritance for the members of that religious sect. It will go down to future ages, a more eloquent advocate than the most elaborate panegyric.

We cannot leave this discourse of Mr. Vaux without adding in regard to the author—we may do it here with propriety, as the grave has closed over him—that he was one of the most zealous and untiring in the elucidation of the history of his native state, and in the promotion of those grand plans of philanthropy which are her chief glory. The Historical Society of Pennsylvania is much indebted to him for his useful labours in her behalf.

The pen of the learned Duponceau would hardly be idle in a society of which he was a member, and particularly of an institution that offered so many opportunities to one eminently skilled in philology. In Indian tongues his proficiency is notorious, and indeed in all the antiquities of this continent.

The council of the society invited Mr. Duponceau to translate, from the Swedish, a History of the Province of New Sweden, (as Pennsylvania was once called by the Swedes,) a production of Thomas Campanius Holm. With this request he promptly and cheerfully complied and, in addition, enriched his translation with some learned notes. To this production, the translator, in his preface, assigns its true value—and wherever the occa-

sion was appropriate, he corrected its errors and supplied its defects. The author's talents and judgment, Mr. Duponceau rates not above mediocrity, though he gives due credit to some of the interesting contents of the book. The account rendered by the Swedish missionaries to their spiritual superiors, in letters written before or about the year 1700, are replete with the most pleasing details, to which the perfect simplicity of the language lends additional attractiveness.

Further interesting and instructive disquisitions may be expected from the pen of this savant.

To the historical sketch of the university of Pennsylvania by Dr. Wood, now one of its Medical Faculty, we can here no more than refer—as an authentic and well written account of an institution in whose success every Pennsylvanian should feel a lively sympathy.

To the provincial literature of Pennsylvania, we turn with considerable satisfaction. A survey of this subject would convince the most credulous, that far from the policy of Penn having been hostile to human learning, the direct reverse was the case. The founder was a man of letters, and delighted in the converse of the learned. The same may be averred of Barclay and Logan and Story. Proud, the historian, possessed considerable erudition, and was a teacher of youth in a seminary of learning which had a charter from Penn. The charge of hostility to letters has been frequently brought against the society of Friends; but we feel convinced that an attention to the early history of Pennsylvania, will remove the imputation from them as a body.

We may dispose of the “Early Poets and Poetry of Pennsylvania” in a few words. We are indebted to the industry of Joshua Francis Fisher, Esq. for a faithful record of most of the early *rhyme* that budded in Pennsylvania. To dignify it with the name of *poetry* is profanation. The divine art is neither prose run mad, nor metaphysics, nor plain homely common sense put into jingle. So to class it, is to debase it to the level of chopping wood or running the lines of a survey. It is to deprive it of soul, which is its essence; for, when words come from the soul, the appropriate expression never fails them. “Thoughts that breathe,” readily produce “words that burn.” Moreover, the poets of a country are not they whose productions happen to be published there. Many of those mentioned in Mr. Fisher's sketch were Englishmen; but whether natives or foreigners, their proper designation is rhymesters, not poets. The rhymes, too, are no more *Pennsylvanian* than Swedish—contain nothing distinctive of the country, and could have been hammered out as well in one part of the world as in another. Peace then to the ashes of these *early poets*. May

no mistaken kindness hereafter disturb their remains. Let their modest worth ever be buried in the shades.

These remarks are, of course, not intended to detract from the merits of Mr. Fisher's communication, as a literary composition. It is very well written. This gentleman has proved himself one of the most valuable members of the society, whose archives he has enriched with important contributions, both of original memoirs, and valuable remains of the founder and others.

The colonial literature of Pennsylvania, to which we may with pleasure recur, is that which evinces the development of mind, and an attention to the all important topic of education. The literary remains of provincial Pennsylvania are those that might have been looked for from such a settlement. The settlers proceeded hither in the maturity of years; their tastes were Anglican, and already formed upon the models of their own land. They came to found a state, as we have before observed, by their laborious exertions, and not to revel in the ease and leisure essential to the production either of imaginative or abstruse efforts. There was too much about them of the reality of life, too many drafts upon their active faculties, too much of sober fact, to allow excursions into the regions of fancy, even if men like themselves were, under any circumstances, capable of this; which we do not mean to assert. They were all, eminently, practical men; but though this very circumstance indisposed them, or even rendered them unfit for the cultivation of the mere imagination, it conduced to their appreciation of the more solid constituents of learning. Hence, they turned their attention to the establishment of schools, of newspapers, and of periodicals of a more permanent nature; they planted the goodly tree, that their children might reap the fruit.

Thomas I. Wharton Esq., to whom the society is under obligations for some interesting and well written notes upon this subject, thus introduces his observations:—

“The first settlers of Pennsylvania were, chiefly, members of a religious society which has been supposed to decry and undervalue human learning, and to place literature, as well as painting and music, on its *index expurgatorius*. However truly this may have been said of some of the early teachers of that sect, certainly the colonial history of Pennsylvania affords no materials for the support of the theory. It is believed that no one of the states of this Union can exhibit so early, so continued, and so successful a cultivation of letters as Pennsylvania. Hardly had the emigrants sheltered themselves in their huts,—the forest trees were still standing at their doors, when they established schools and a printing press, to teach and to be enlightened: literally *inter silvas querere verum*. Within four years from the time that our ancestors landed in the wilderness, a printing press was at work in Philadelphia, sowing broadcast the seeds of knowledge and morality: and only a few months

after the arrival of William Penn public education was attainable at a small expense."—Vol. i. p. 101.

To this gentleman's intelligent researches, we owe most of the information which is extant upon the point; and the few facts which we shall present, are culled from his notes.

A school was opened in Philadelphia in 1683, and six years after, a public school, corresponding with our present seminaries or colleges, was founded by the society of Friends. The poor were taught gratis in this institution. A charter was granted to it in 1701; and the preamble contains a clause which is powerful in its bearing upon the position we have advanced. It recites, "Whereas the prosperity and welfare of any people depend in a great measure upon the good education of their youth, &c. and qualifying them to serve their country and themselves, by breeding them in reading, writing, and learning of languages, and useful arts and sciences, suitable to their sex, age and degree; which cannot be effected in any manner so well as by erecting public schools for the purpose aforesaid," &c.

Printing was introduced into Pennsylvania so early as 1686; four years after the landing of William Penn. This was comparatively earlier than in any of the sister states. In Massachusetts it was not introduced until eighteen years after its settlement, in New York not until seventy-three years thereafter, and in the other colonies even more lately.

The first printer was William Bradford, a member of the society of Friends. His printing-press was set up in Kensington, near the Treaty tree; and his earliest publication was an almanac. This—the most ancient as a printed book in Pennsylvania—had the following title page. It is certainly worthy of preservation:—"An Almanac for the year of the Christian account 1687, particularly respecting the Meridian and Latitude of Burlington, but may indifferently serve all places adjacent. By Daniel Leeds, Student in Agriculture. Printed and sold by William Bradford, near Philadelphia, in Pennsylvania, pro anno 1687." This *student in agriculture*, the fruit of whose lucubrations was an *almanac*, left the province and published a scurrilous libel upon the Friends.

The literature of Pennsylvania received an impetus from a source which usually imparts warmth to discussion, but serves rarely to bestow its polish. Religious dissension was the cause; and the chief actor a man famous in the early annals of the state. We will give a notice of it in the words of Mr. Wharton:—

"Religious controversy gave the first impulse to literature in Pennsylvania. It is a fit subject for patriotic pride, that a drop of blood has never been shed in this state in a religious quarrel: but it is nevertheless true that the usual quantity of paper and ink has been consumed on this fruitful subject: and from the dissensions of 1691, down to the Catholic

controversy of 1823, pretty much the same sort of temper has been exhibited. The disorder broke out in the very infancy of our history. George Keith, who has already been spoken of as head master in the Friends' public school, had no sooner been installed in the office of mending the grammar of the boys, than he set about correcting the religion of their parents. He maintained with great earnestness, that the 'Friends,' now that they had reached the elevation of power, and got into the administration of affairs, were, like most political aspirants, disposed to turn their backs upon the ladder by which they had mounted, and had adopted many of the practices against which they had so vehemently declaimed; and he was for recalling them to what he either did or affected to consider the true and ancient doctrine. He accused the principal functionaries of the society of spiritual lukewarmness, and denounced the magistrates, (at that time principally 'Friends,') for executing the judgments of the law upon malefactors, holding it to be inconsistent with the genuine faith for a believer to draw the sword, even though it be the sword of justice. In a word, he was, to use the language of the present days, an *ultra*. In 1689, previous to his quarrel with the leaders of the Friends, this active pamphleteer appears to have published a tract against the New England churches, which is said by *Thomas*, in his History of Printing, to have been the first book printed in Pennsylvania. In 1690, he entered the lists with Cotton Mather, and published two more pamphlets in vindication of the Quakers. The next year saw the commencement of the *internal* controversy. Keith, who was a public preacher, had given offence by his *heterodox* tenets, (at least so they were called by the elders,) and as they alleged, by his turbulent and overbearing spirit; and he was accordingly disowned, and denied the privilege of speaking in the meetings of worship. Thus debarred from giving vent to his opinions, through the accustomed channel, he sought that universal refuge, the press, from which soon appeared several pamphlets, reflecting in no gentle tone upon his adversaries. A prosecution ensued, of which the issue is somewhat differently narrated. Proud says, that the printers of these 'virulent pieces,' William Bradford and John M'Comb, were arrested by warrant from five magistrates, and upon their refusal to give security for their appearance, to answer for the publication, were 'nominally' only (he says) committed, never being in confinement, and were soon discharged, without having been brought to trial. On the other hand, it appears, from a pamphlet published at the time, and from which *Thomas* has given copious, though not altogether satisfactory extracts, that they were actually tried, after having been a considerable time in confinement. The jury, it seems, were discharged, having been unable to agree, notwithstanding a pretty decided charge from the court, who, if we may believe the author of the pamphlet, treated the prisoners with great harshness. They were not tried again, owing to a singular circumstance. It seems that the principal evidence against Bradford was his own set of types; the frame containing which, duly composed for printing the seditious pamphlet, was brought into court, a very potent though dumb witness against him. When the jury retired they took this frame out with them, and not being acquainted with reading backwards, reading forward being a considerable affair in early times, one of them attempted to place it in a perpendicular and more convenient situation, and, in so doing, the types fell from the frame, and so vanished the testimony for the prosecution. Bradford, after being released from confinement, went to New York, where, as has been already mentioned, he died."—Vol. I. pp. 106–109.

Keith became, subsequently, a minister of the Church of England, and "charged home" in desperate attacks upon all dissenters. But as there was no disposition to persecute him, his fire soon burnt out.

The first newspaper was printed in 1719. It was entitled "The American Weekly Mercury." Its price was ten shillings per annum. The writer proceeds :

"Nine years after the appearance of the American Mercury, the Philadelphia press was delivered of a second newspaper, to which the modest title was given of '*The Universal Instructor in all Arts and Sciences, and Pennsylvania Gazette.*' In his inimitable autobiography, Franklin has immortalized Keimer, the eccentric publisher of this journal, whose vanity and selfishness, whose wild notions upon religion and morals, and whose turn for poetry and gluttony are so happily and graphically delineated. Franklin, from whom Keimer had stolen the idea of a second newspaper, attacked it in a series of papers published in Bradford's journal and called the Busy Body. The '*Universal Instructor*' soon fell into decay, and then into Franklin's hands, by whom it was very skilfully and successfully managed, both for his own profit and for the interest and edification of the public. An editorial notice in one of Franklin's papers, proves in rather a ludicrous way how badly Philadelphia was supplied at the time (1736) with printing presses. What was called the *outer form* was printed reversely or upside down to the inner form, and the following apology is offered. 'The printer hopes the irregular publication of this paper will be excused a few times by his town readers in consideration of his being at Burlington with the press, labouring for the public good to make money more plentiful.'

"It is not generally known that this venerable journal survived until within a year or two of the present time, under the name of '*The Pennsylvania Gazette.*'"—Vol. I. pp. 119, 120.

The first *daily* newspaper that appeared on this continent, was published in Philadelphia. In that city, also, the first *literary* journal saw the light. Auspicious omen! A great man, too, was its printer and editor. No less a personage than Dr. Franklin. Its title was "The General Magazine and Historical Chronicle." The first number appeared on the 1st of January, 1741. It lived a year. In 1775, "The Pennsylvania Magazine or American Monthly Museum," was printed. The notorious Paine was its editor. In point of talent, it is certainly one of the best which appeared in America before the revolution.

To dwell upon these details is to us delightful; and we could do so at much greater length, did our limits permit. We can promise all who turn to the "Notes" of Mr. Wharton a literary treat. His sketch of Franklin is particularly interesting. But one more fact we will record. There are in the City Library, *four hundred and fifty-nine* works printed in Philadelphia before the revolution.

The annual discourse, delivered on the 24th of October, 1831, by Job R. Tyson, Esq. is interesting, as it adverts to subjects not dwelt upon in any of the previous publications of the society.

The orator exhibits the stand taken by Pennsylvania on the great principle of the revolution, and presents her position in its proper light. That state was the chief theatre of the war; the first congress assembled in her capital; there, Independence raised her infant voice. Mere sectional partialities were absorbed in the interest of the common cause. The special deserts of Pennsylvania in that awful crisis have never received elucidation from any native pen; in fact, from none, save the kind, though necessarily imperfect, efforts of the German Ebeling. Mr. Tyson most properly proposes the theme as one worthy of the selection of the historian, and depicts the topics calling for the notice of the annalist.

He also vindicates the conduct of the quakers during that contest from the imputation of toryism or treason. Their neutrality (for it was nothing more) was the prompting of conscience; the result of religious feeling. Their sect is the enemy of war; the unresisting recipient even of aggression; unresisting, we mean, by the weapons of carnal warfare; and even those who differ from its members in their construction of the dictates of revelation, should not withhold the respect which is ever due to conscientious, unaffected conduct, though considered by them to spring from error of opinion. The good sense and good feeling of succeeding years have already wiped the ill deserved stain from their mantle.

The writer proceeds to take a survey of the course of legislation in Pennsylvania; exhibiting its impress upon law, the penal code, and prison police. He also sketches in bright colours and in polished language her resources and capabilities; and, the manner in which, prior to the date of his discourse, the State had developed them. We shall extract what he says upon the literary pretensions of Pennsylvania. The claims of every part of our Union in this respect, should be put prominently forward. It may conduce to the furtherance of an intellectual spirit in each; a consummation earnestly to be desired by every friend to the permanent reputation of his country.

“Upon a comparison of the number of newspapers now published in the state with what were issued at the revolution and are now printed abroad, we shall find that the *common* mind of Pennsylvania cannot languish or decay for want of a generous sustentation. Between the settlement of the province and the year 1775, there had sprung into being about sixteen newspapers in the English and German languages; but few of these were destined long to illuminate the colony. Lights which shone vividly for a time, were soon extinguished for want of the necessary aliment, and these were succeeded by others which, after dispensing a flickering and momentary glare, were destined in their turn to go out for ever. It was seldom, and for brief periods, that more than three or four existed simultaneously, and from 1762 to 1773 only three papers were circulated at Philadelphia. According to Thomas's History of Printing, the year 1775 gave birth to five newspapers and a magazine;

but the war suspended or terminated the publication of the latter and two of the papers—a third was destroyed by fire—and of the two remaining, one survived till 1778, and the other finished its career in four years afterward. The magazine is pronounced to have been meritorious for the character of its literary contents, though its principal contributor was a personage neither greater nor less than the notorious Thomas Paine. But that age was not without luminaries of a superior order. Dickinson, to whose 'Farmer's Letters' Ramsay ascribes the impulse of the revolution, Rittenhouse, Franklin, Rush, Ewing, Hopkinson and Galloway, formed a constellation of no ordinary magnitude. They surrounded that day with a splendour, and gave to it a celebrity, which must ever reflect a brightness upon Pennsylvania. To enable us to ascertain with some little precision the character of our intellectual advancement, we must take into consideration the condition of a new country, requiring the application of its energies to subjects uncongenial with erudite researches and literary success. Though many of the writers, who have since acquired distinction, flourished during the revolution, and may be classed with either division, I may perhaps be justified in referring to Parke, Graydon, Samuel Stanhope Smith, West, Fulton, Dennie, Linn, Brown, and Godman, as authors and geniuses who belong more particularly to a subsequent period. So many circumstances may operate adversely to the display of great powers in literature—the diversion of the public mind to practical objects, and a temporary indifference in the public taste to the elegances of literary composition—that an entire destitution of eminent men should furnish no criterion of the national intellect. The commanding eminence of the bench and bar of Pennsylvania, the learning and acuteness which have marked the medical profession, the erudition and eloquence of the clergy, the high estimation of our various seats of learning, and above all, the unrivalled reputation of a great medical university, indicate no dearth of talents, no want of devotion to study. Public libraries are to be found, perhaps, in every county of the state, and the Athenæums established in petty villages evince a diffusive zeal for knowledge, and an ardour of liberal inquiry, to which it is difficult to point out a parallel. Among the literary institutions of the United States, the Philadelphia Library, and the American Philosophical Society, deserve a prominent station, if indeed they be not altogether unrivalled and transcendant. The library which, in its inception and early progress, had to struggle with very restricted and even contemptible resources, has assumed a magnitude which in the number and value of its books, surpasses any collection on this side the Atlantic. Though its existence was so early as 1731, the number of its volumes in 1785 did not exceed 5,487. In 1806 they amounted to 14,218, showing an augmentation in twenty-one years of 8,731 books; and in the twenty-five years which have since elapsed, the amount is more than quadruple—the number being now estimated at more than 37,000 volumes.* A cursory inspection of the voluminous catalogue will suffice to discover the character of its ingredients, and to exhibit in its contents as well the rarest gems of antiquity as many of the useful and elegant productions of all nations of modern and subsequent times. The American Philosophical Society was originally established at Philadelphia in the year 1743, and formed a junction in 1769 with another literary association of similar objects and design. Though at first devoted

* This in 1831. The number now is 44,000.—ED.

to the natural and mathematical sciences, it now embraces in its circle of investigations the antiquities, topography, geography, statistics, and history of the state and country. Little need be said of an institution which can display in imposing succession upon its scroll of presidents, such names as Franklin, Rittenhouse, Jefferson, Wistar, Patterson, Tilghman and Duponceau. The ten volumes of Transactions published, including the volume which has been issued by the Committee of History, demonstrate an ardour of literary enterprise and a depth of research, a plenitude of mind and a variety and profundity of attainment, which reflect the highest credit upon the country. The contributions of Franklin and Rittenhouse, of Dr. Smith and Francis Hopkinson, are characterised by a native amplitude of soul, capable of adding to that science which looks into the sublime and awful mysteries of nature, a comprehensiveness of conception and a boldness of discovery, which lie beyond the grasp of the narrow, the timorous, and the weak. But, undazzled by the splendour of a philosophy which penetrated into the immeasurable regions of the planets and the countless wonders of the galaxy, and that which subjected to human control the terrific lightnings of heaven, let us be just to the more homely, but not less practical monuments erected by patient thought and sedulous reading. It is to these fruits of genius and toil we are indebted for the speculations of a learned and ingenious philologist, which unfold to us the amazing beauty and very artificial structure of the Indian idioms, and which plausibly exhibit, perhaps conclusively prove, that the red men of the American forests, however separated by distance and marked by contrariety of habits, are united by the relationship of a common ancestry—by the ties of an identical origin. If, before and during the revolution, Pennsylvania could boast, in this institution, of a Godfrey born, and a Franklin educated and adopted, we may yet claim a Rittenhouse, a Wistar, a Patterson, a Tilghman, and a Godman—not to mention many eminent survivors, contemporary with that illustrious group.

Taking the relative number of periodical works as a guide by which to estimate our advancement or recession, we have every reason to be satisfied with our lot—every inducement for the indulgence of national complacency. In the year 1775, including the periodicals which then had commencement with those which existed antecedently, the aggregate number of published sheets and magazines did not exceed *nine*. In 1810, they had increased to seventy-one, and in 1828 they amounted to one hundred and eighty-five, a number greatly exceeding the ratio of augmented population, and more than equal to any two states in the Union, with the exception of New York. The number of literary works annually published at Philadelphia, not only transcends that of any other city in the Union, but is estimated to be nearly equal to them all united. These comprehend native works, and reprints of that endless variety of productions with which the European press is teeming, from the lightest novel and poetry of the day, up to the most daring reaches of philosophy and the nicest points of philology and criticism. The reasonable proportion of those upon music and the fine arts, attests the tendencies of the public taste, and indicates that stage in the educated mind when it has received the last impress and polish of refinement. It argues that beauty of mental perception and exquisite delicacy of feeling, which are connected with elegance of manners, and the highest culture of the understanding.”—pp. 33–39.

The oration of Peter McCall, Esq. on the 29th of November, 1832, was devoted to a consideration of the progress of the

society of Friends in Pennsylvania, and their impression on her institutions, literary, benevolent and political. He enforced the prominent influence of that society by a view of the peculiar character and principles of the men who founded and long governed the state. The topic was undoubtedly of interest and importance, and is well handled by Mr. McCall. The language is always neat and appropriate, and the illustrations occasionally beautiful.

Dr. Coates, in his discourse of the 28th day of April, 1834, undertook the discussion of a question, whose explanation seems as impracticable as the discovery of a northwest passage, and probably, when found, as useless. We mean "the origin of the Indian population of America." The writer, however, with learned industry, collected all the information and speculations upon the point, and presented some, not improbable, of his own. To the man fond of abstruse investigation, and of peering through the dim mist of the most remote antiquity for evidence on which to found a theory of the process of populating America, we would recommend the pages of Dr. Coates.

The literary execution of these volumes, we feel assured, will well sustain the reputation of Pennsylvania.

ART. III.—*Animal and Vegetable Physiology, considered with reference to Natural Theology, by Peter Mark Roget, M. D. Philadelphia, 1836.*

It is a useful as well as an agreeable task to lay hold of the discoveries of science, and apply them to minister to the animal wants of man, to extend the sphere of human happiness, and increase the domain of human power. Such has been the employment of many who may justly be styled the benefactors of the human race. However highly we may estimate such services, they are, in the eye of him who has a just view of the true aim of our existence, far inferior in importance to the labours of those, who in the new and ever varying researches of modern science, find at every step, fresh proofs of the wisdom of the great first cause of "this universe and all created things."

It has indeed been sometimes the case that the student of physical science, accustomed to explain, in words, laws of nature whose final cause is inscrutable, and to accept these explanations in the room of that knowledge which is unattainable, has presumptuously fancied that natural effects were the result of agents controllable, if not producible, by human power. Nay some have gone so far as to assert the agency of chance in the

production of the fair world which we inhabit. Such opinions are, however, far from being the usual or the legitimate results of profound scientific enquiry; and we may indeed safely assert that they have never occurred to the enquirer into the phenomena of the material world, except where the mind had been previously darkened by the jargon of the metaphysician, and was prepared to question the evidence of its senses.

Whoever enters without any previous bias into the study of the works of nature, and draws to his aid a knowledge of the physical and mixed mathematical sciences, must see at every step evidence of a wisdom in design, and a skill in execution, so far surpassing the proudest triumphs of human ingenuity, that the greatest extent of our knowledge can only enable us to admire, without any hopes even of distant imitation. And this wisdom and this skill are not manifested alone in the vast expanse of the heavens, but are seen to equal advantage in the most minute atoms that are revealed to the microscope; not only in the structure of that body which, frail and perishable though it be, has been proudly named the microcosm, but in the invisible tenants who people drops of the most pellucid fluids.

It is in the last named instances that we are most speedily brought to a conviction of the necessity of a cause of infinite power. We may ascribe the mutual attraction of the planets, the aggregation of the parts of inorganic bodies, the phenomena of chemical action, to forces that we may choose to say are inherent in material substances, and some are so wilfully blind as to rest here and enquire no further. But in the phenomena of life, whether vegetable or animal, we see these forces either set at absolute defiance, or so modified as to produce the most unexpected results; and when we find the vital agents brought into action we know not how, extinguished we know not wherefore, and discover that every new advance only serves to render the distance between us and these causes more apparent, we are compelled to rest in our enquiry, and admit, however mortifying to our pride, that these are the works of an author as pre-eminent in power as he is in wisdom. The best and most potent arguments of natural theology are therefore drawn from the science of physiology.

“The evidence of design and contrivance in the works of nature carries with it the greatest force whenever we can trace a coincidence between them and the works of human art. If in any unknown region of the earth we chanced to discover a piece of machinery, of which the purpose was manifest, we should not fail to ascribe it to the workmanship of some mechanist, possessed of intelligence, actuated by a motive, and guided by intention. Farther, if we had a previous knowledge of the operations of similar kinds of mechanism, we could not doubt that the effect produced was the one intended by the artificer. Thus, if in an

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unexplored country, we saw, moving on the water of a lake, the trunk of a tree carved into the shape of a boat, we should immediately conclude that this form had been given to it for the purpose of enabling it to float. If we found it also provided with paddles at its sides, we should infer, from our previous knowledge of the effects of such instruments, that they were intended to give motion to this boat, and we should not hesitate to conclude that the whole was the work of human hands, and the product of intelligence and design. If in addition, we found this boat furnished with a rudder and with sails, we should at once understand the object of these contrivances, and our ideas of the skill of the artificer would rise in proportion to the excellence of the apparatus, and the ingenuity displayed in its adaptation to circumstances.

"Let us suppose that in another part of this lake we found an insect,* shaped like the boat, and moving through the water by successive impulses given to that medium by the action of levers, extending from its sides, and shaped like paddles, having the same kind of movement, and producing the same effects. Could we resist the persuasion that the artificer of this insect, when forming it of this shape, and providing it with these paddles, had the same mechanical objects in view? Shall we not be confirmed in this idea when we find that these paddles are constructed with joints that admit of no other motion but that of striking against the water, and thus of urging the animal forwards through that dense and resisting medium? Many aquatic animals are furnished with tails which evidently act as rudders, directing the course of their progressive motion through the fluid. Who can doubt that the same intention and the same mechanical principles which guide the practice of the ship-builder, are here applied, in a manner still more refined and with a master's hand? If nature has furnished the nautilus with an expansible membrane, which the animal is able to spread before the breeze when propitious, and by means of which it is wafted along the surface of the sea, but which it quickly retracts under unfavourable circumstances, is not her design similar to that of the human artificer, when he equips his bark with sails, and provides the requisite machinery for their being hoisted or furled with ease and expedition."

We may add: how complex and clumsy are all the contrivances of human art as applicable to this particular case, when compared with the strong yet delicate, the effectual yet simple, means by which the operations of the living animal are performed? How slow are the manœuvres of the most perfect vessel, compared with actions of the living bark, which obey the simple volition with the proverbial rapidity of thought?

"The knowledge of the laws of electricity in its different forms, is one of the latest results which science has revealed to man. Could these laws, and their various combinations, have been unknown to the power who created the torpedo, who armed it with an energetic galvanic battery, constructed upon the most refined scientific principles, for the manifest purpose of enabling the animal to strike terror into its enemies, and paralyse their efforts to assail it?

"Does not the optician, who designedly places his lens at the proper distance in a darkened box, for the purpose of obtaining vivid pictures of the external scene, evince his knowledge of the laws of light, of the pro-

* Such as *Notonecta Glauco*, Lin. or water-boat-man, and the *Dytiscus Marginalis*, or water beetle.

erties of refracting media, and of the refined combinations of those media, by which each pencil is brought to a separate focus, and adjusted to form an image of remote objects? Does it not, in like manner, argue the most profound knowledge and foresight in the divine artist, who has so admirably hung the crystalline lens of the eye in the axis of a spherical case, in the fore part of which he has made a circular window for the light to enter, and spread out on the opposite side a canvass to receive the picture? Has no thought been exercised in darkening the walls of this camera obscura, and thus preventing all reflection of the scattered rays that might interfere with the distinctness of the image? What human art has ever equaled the surpassing skill, by which, within so small a space, are provided the means of viewing bodies with equal ease, whether they lie within a few inches or at a distance of millions of miles; a provision that we know exists, but which our most close investigation has still left almost unexplained? What minute acquaintance with the properties of light, and of the media it traverses, has it not required to obtain an image free from the defects of those produced by the most perfect artificial instruments? Who placed this delicate apparatus in a cell where it is almost certainly protected from external violence, yet possesses an extended field of view? Who lodged it on elastic cushions allowing it every requisite freedom of motion; contrived the delicate cordage and pulleys by which this motion is caused; gave it lids to exclude dust, and fringed them with a silky veil? Who causes its windows to dilate and contract in conformity with every varying intensity of light, often without our knowledge, and always independently of our volition? Can the most absolute sceptic refuse to admit that the planner and constructor of such wonders is divine?

“These facts, if they stood alone, would be sufficient to lead us irresistibly to this conclusion; but evidence of a similar kind may be collected in abundance from every part of living nature to which our attention can be directed, or to which our observations have extended. The truths they teach, not only acquire confirmation by the corroborating tendency of each fact of the same description, but the multitude of these facts is so great that the general conclusion to which they lead must be considered as indubitable.”

If we consider life merely as a mechanical force, we find it opposing and overcoming forces which in other cases are unconquerable. The tree rises and towers to the clouds, its sap circulates in its vessels, animals increase in stature and their blood is propelled to their highest points, in direct opposition to the force which holds the planets in their orbits and governs the path of suns mightier than our own. The products of organic matter are composed of elements united often in direct opposition to the laws of chemical attraction; we may examine them and discover their constitution, but even in their simplest form they defy our imitation. We find those of similar composition dissimilar in properties, we know not why: the most wholesome food and the most deadly poisons, may be identical in their chemical analysis, and the food which ministers to the growth of the vilest parasitic animal is the same with that which nourishes the boasted lord of creation.

Life is of two descriptions, giving birth to the two great

natural kingdoms, the vegetable and the animal. Between the more perfect specimens of these two great reigns, it is impossible to mistake the difference, yet there are instances, where the more distinctive properties of each become so feeble, that naturalists have been puzzled in which kingdom to class them. The grand and important distinction taken by our author is this:—vegetables absorb into their circulation whatever is presented to them, without the aid of any preparatory operation; while in animals, their food is elaborated and prepared for circulation by a preliminary process requiring an appropriate organ.

The only vehicle of the food of plants is water, and so essential is this to their growth that it was at one time supposed that it was alone sufficient. This water is absorbed from the soil by apertures placed at the extremities of the roots. Thence it is forced upwards, not only by the capillary attraction of their pores, but by a mechanical force which has been shown to be, in some instances, greater than the pressure of the atmosphere, and must in all be sufficient to raise the fluid to their highest branches. In some plants this force is suspended by the influence of frost, which destroys the life of the succulent parts, and locks up the circulation even in the firmest woods. In others a heat is supplied by the vital action which renders the sap capable of resisting the cold. It is by no means easy to explain the generation of heat in animals, and the fact of a raised temperature in vegetables has been but little noticed, nor has any attempt been made to account for it. We conceive however, that the latter is attended with little difficulty. The food of plants is liquid, their permanent parts solid, and in the conversion of the former into the latter, heat is unavoidably disengaged and assumes the sensible form. Thus by a wise application of a universal law, plants are prepared to vegetate near polar snows and at the edge of glaciers. The aqueous matter absorbed by the roots of plants carries with it every soluble substance in the soil, or in the neighbouring atmosphere. From the former source it derives earthy and saline matter, from the latter a variety of gases. Gases are also confined by the soil, and there can be no doubt that the water takes them up also; of the gases, that which is usually supposed to have the greatest influence in vegetable physiology is carbonic acid, but we are inclined to ascribe an important agency to the carburets of hydrogen, which are evolved by the decomposition of animal and vegetable substances, and to matter so subtile as to have escaped chemical research, although known to our sense of smell, and which we find to be absorbable by water.

The water holding such substances in solution is raised, by the forces of which we have spoken, to the leaves. Here it is

spread over a large surface, and permitted to communicate with the air by means of numerous pores. By an action which requires the presence of light, the carbonic acid is decomposed, its oxygen is liberated and mixes with the atmosphere, while the carbon entering into new combinations remains in the plant. By this action the sap, which has ascended in the form of a watery liquid, is converted into gum or resin, which commences its descent towards the root, and in its progress deposits the woody fibre and other parts of the vegetable structure. Among these deposits one of the most important is *secula* or starch, which although not directly useful, is stored up in cavities or cells, out of a superabundant nutriment, in order to enter again into the circulation at times when appropriate food is deficient. With these are also deposited such earthy and saline matter as the peculiar character of the plant requires; thus, *silex* is deposited in the joints and stems of the grasses, carbonate and sulphate of lime in other terrestrial plants, potash in terrestrial vegetables, and soda in those which grow in and near the ocean. These earths and salts, although hardly noticed by chemists, among vegetable principles, are, notwithstanding, each in its proper sphere, necessary to the growth of plants. Thus the *salsola* will not grow at a distance from salt water; wheat will not flourish in a soil which does not contain carbonate of lime; clover fails when the sulphate cannot be furnished, and the grasses wither in pure calcareous earth.

At the root of the plant the descending fluid, as is now generally believed, discharges all that is unnecessary to the growth of the plant, and often such soluble substances as are actually noxious to it. It thus happens that there are plants, two successive generations of which can be raised with difficulty, or refuse to grow spontaneously on the same soil. In our own forests, a growth of pine is succeeded by oak; of hemlock, by beech and maple; and a skilful agriculturist will refrain, even if he have no difficulty in obtaining manures, from repeating the same crops in too frequent succession.

Such then is the apparently simple process of the growth and nourishment of plants. Yet how much is there in it inscrutable to us! The mighty plane springs from the same soil with the most minute herb; the dense and heavy locust, with the succulent clover; and the deadly night-shade with the nutritious and wholesome wheat. Their most important elements are identical in character, and yet how different the character of their combinations, even when in similar proportions?

If we look to the mechanical structure of plants, we shall find most distinct evidence of wisdom in design. Their structure is made up of bundles of hollow tubes, which not only allow freedom of circulation, but give the greatest degree of

Keith became, subsequently, a minister of the Church of England, and "charged home" in desperate attacks upon all dissenters. But as there was no disposition to persecute him, his fire soon burnt out.

The first newspaper was printed in 1719. It was entitled "The American Weekly Mercury." Its price was ten shillings per annum. The writer proceeds :

"Nine years after the appearance of the American Mercury, the Philadelphia press was delivered of a second newspaper, to which the modest title was given of '*The Universal Instructor in all Arts and Sciences, and Pennsylvania Gazette.*' In his inimitable autobiography, Franklin has immortalized Keimer, the eccentric publisher of this journal, whose vanity and selfishness, whose wild notions upon religion and morals, and whose turn for poetry and gluttony are so happily and graphically delineated. Franklin, from whom Keimer had stolen the idea of a second newspaper, attacked it in a series of papers published in Bradford's journal and called the Busy Body. The '*Universal Instructor*' soon fell into decay, and then into Franklin's hands, by whom it was very skilfully and successfully managed, both for his own profit and for the interest and edification of the public. An editorial notice in one of Franklin's papers, proves in rather a ludicrous way how badly Philadelphia was supplied at the time (1736) with printing presses. What was called the *outer form* was printed reversely or upside down to the inner form, and the following apology is offered. 'The printer hopes the irregular publication of this paper will be excused a few times by his town readers in consideration of his being at Burlington with the press, labouring for the public good to make money more plentiful.'

"It is not generally known that this venerable journal survived until within a year or two of the present time, under the name of '*The Pennsylvania Gazette.*'"—Vol. I. pp. 119, 120.

The first *daily* newspaper that appeared on this continent, was published in Philadelphia. In that city, also, the first *literary* journal saw the light. Auspicious omen ! A great man, too, was its printer and editor. No less a personage than Dr. Franklin. Its title was "The General Magazine and Historical Chronicle." The first number appeared on the 1st of January, 1741. It lived a year. In 1775, "The Pennsylvania Magazine or American Monthly Museum," was printed. The notorious Paine was its editor. In point of talent, it is certainly one of the best which appeared in America before the revolution.

To dwell upon these details is to us delightful ; and we could do so at much greater length, did our limits permit. We can promise all who turn to the "Notes" of Mr. Wharton a literary treat. His sketch of Franklin is particularly interesting. But one more fact we will record. There are in the City Library, *four hundred and fifty-nine* works printed in Philadelphia before the revolution.

The annual discourse, delivered on the 24th of October, 1831, by Job R. Tyson, Esq. is interesting, as it adverts to subjects not dwelt upon in any of the previous publications of the society.

The orator exhibits the stand taken by Pennsylvania on the great principle of the revolution, and presents her position in its proper light. That state was the chief theatre of the war ; the first congress assembled in her capital ; there, Independence raised her infant voice. Mere sectional partialities were absorbed in the interest of the common cause. The special deserts of Pennsylvania in that awful crisis have never received elucidation from any native pen ; in fact, from none, save the kind, though necessarily imperfect, efforts of the German Ebeling. Mr. Tyson most properly proposes the theme as one worthy of the selection of the historian, and depicts the topics calling for the notice of the annalist.

He also vindicates the conduct of the quakers during that contest from the imputation of toryism or treason. Their neutrality (for it was nothing more) was the prompting of conscience ; the result of religious feeling. Their sect is the enemy of war ; the unresisting recipient even of aggression ; unresisting, we mean, by the weapons of carnal warfare ; and even those who differ from its members in their construction of the dictates of revelation, should not withhold the respect which is ever due to conscientious, unaffected conduct, though considered by them to spring from error of opinion. The good sense and good feeling of succeeding years have already wiped the ill deserved stain from their mantle.

The writer proceeds to take a survey of the course of legislation in Pennsylvania ; exhibiting its impress upon law, the penal code, and prison police. He also sketches in bright colours and in polished language her resources and capabilities ; and, the manner in which, prior to the date of his discourse, the State had developed them. We shall extract what he says upon the literary pretensions of Pennsylvania. The claims of every part of our Union in this respect, should be put prominently forward. It may conduce to the furtherance of an intellectual spirit in each ; a consummation earnestly to be desired by every friend to the permanent reputation of his country.

“ Upon a comparison of the number of newspapers now published in the state with what were issued at the revolution and are now printed abroad, we shall find that the *common* mind of Pennsylvania cannot languish or decay for want of a generous sustentation. Between the settlement of the province and the year 1775, there had sprung into being about sixteen newspapers in the English and German languages ; but few of these were destined long to illuminate the colony. Lights which shone vividly for a time, were soon extinguished for want of the necessary aliment, and these were succeeded by others which, after dispensing a flickering and momentary glare, were destined in their turn to go out for ever. It was seldom, and for brief periods, that more than three or four existed simultaneously, and from 1762 to 1773 only three papers were circulated at Philadelphia. According to Thomas’s History of Printing, the year 1775 gave birth to five newspapers and a magazine ;

but the war suspended or terminated the publication of the latter and two of the papers—a third was destroyed by fire—and of the two remaining, one survived till 1778, and the other finished its career in four years afterward. The magazine is pronounced to have been meritorious for the character of its literary contents, though its principal contributor was a personage neither greater nor less than the notorious Thomas Paine. But that age was not without luminaries of a superior order. Dickinson, to whose 'Farmer's Letters' Ramsay ascribes the impulse of the revolution, Rittenhouse, Franklin, Rush, Ewing, Hopkinson and Galloway, formed a constellation of no ordinary magnitude. They surrounded that day with a splendour, and gave to it a celebrity, which must ever reflect a brightness upon Pennsylvania. To enable us to ascertain with some little precision the character of our intellectual advancement, we must take into consideration the condition of a new country, requiring the application of its energies to subjects uncongenial with erudite researches and literary success. Though many of the writers, who have since acquired distinction, flourished during the revolution, and may be classed with either division, I may perhaps be justified in referring to Parke, Graydon, Samuel Stanhope Smith, West, Fulton, Dennie, Linn, Brown, and Godman, as authors and geniuses who belong more particularly to a subsequent period. So many circumstances may operate adversely to the display of great powers in literature—the diversion of the public mind to practical objects, and a temporary indifference in the public taste to the elegances of literary composition—that an entire destitution of eminent men should furnish no criterion of the national intellect. The commanding eminence of the bench and bar of Pennsylvania, the learning and acuteness which have marked the medical profession, the erudition and eloquence of the clergy, the high estimation of our various seats of learning, and above all, the unrivalled reputation of a great medical university, indicate no dearth of talents, no want of devotion to study. Public libraries are to be found, perhaps, in every county of the state, and the Athenæums established in petty villages evince a diffusive zeal for knowledge, and an ardour of liberal inquiry, to which it is difficult to point out a parallel. Among the literary institutions of the United States, the Philadelphia Library, and the American Philosophical Society, deserve a prominent station, if indeed they be not altogether unrivalled and transcendent. The library which, in its inception and early progress, had to struggle with very restricted and even contemptible resources, has assumed a magnitude which in the number and value of its books, surpasses any collection on this side the Atlantic. Though its existence was so early as 1731, the number of its volumes in 1785 did not exceed 5,487. In 1806 they amounted to 14,218, showing an augmentation in twenty-one years of 8,731 books; and in the twenty-five years which have since elapsed, the amount is more than quadruple—the number being now estimated at more than 37,000 volumes.* A cursory inspection of the voluminous catalogue will suffice to discover the character of its ingredients, and to exhibit in its contents as well the rarest gems of antiquity as many of the useful and elegant productions of all nations of modern and subsequent times. The American Philosophical Society was originally established at Philadelphia in the year 1743, and formed a junction in 1769 with another literary association of similar objects and design. Though at first devoted

* This in 1831. The number now is 44,000.—ED.

to the natural and mathematical sciences, it now embraces in its circle of investigations the antiquities, topography, geography, statistics, and history of the state and country. Little need be said of an institution which can display in imposing succession upon its scroll of presidents, such names as Franklin, Rittenhouse, Jefferson, Wistar, Patterson, Tilghman and Duponceau. The ten volumes of Transactions published, including the volume which has been issued by the Committee of History, demonstrate an ardour of literary enterprise and a depth of research, a plenitude of mind and a variety and profundity of attainment, which reflect the highest credit upon the country. The contributions of Franklin and Rittenhouse, of Dr. Smith and Francis Hopkinson, are characterised by a native amplitude of soul, capable of adding to that science which looks into the sublime and awful mysteries of nature, a comprehensiveness of conception and a boldness of discovery, which lie beyond the grasp of the narrow, the timorous, and the weak. But, undazzled by the splendour of a philosophy which penetrated into the immeasurable regions of the planets and the countless wonders of the galaxy, and that which subjected to human control the terrific lightnings of heaven, let us be just to the more homely, but not less practical monuments erected by patient thought and sedulous reading. It is to these fruits of genius and toil we are indebted for the speculations of a learned and ingenious philologist, which unfold to us the amazing beauty and very artificial structure of the Indian idioms, and which plausibly exhibit, perhaps conclusively prove, that the red men of the American forests, however separated by distance and marked by contrariety of habits, are united by the relationship of a common ancestry—by the ties of an identical origin. If, before and during the revolution, Pennsylvania could boast, in this institution, of a Godfrey born, and a Franklin educated and adopted, we may yet claim a Rittenhouse, a Wistar, a Patterson, a Tilghman, and a Godman—not to mention many eminent survivors, contemporary with that illustrious group.

Taking the relative number of periodical works as a guide by which to estimate our advancement or recession, we have every reason to be satisfied with our lot—every inducement for the indulgence of national complacency. In the year 1775, including the periodicals which then had commencement with those which existed antecedently, the aggregate number of published sheets and magazines did not exceed *nine*. In 1810, they had increased to seventy-one, and in 1828 they amounted to one hundred and eighty-five, a number greatly exceeding the ratio of augmented population, and more than equal to any two states in the Union, with the exception of New York. The number of literary works annually published at Philadelphia, not only transcends that of any other city in the Union, but is estimated to be nearly equal to them all united. These comprehend native works, and reprints of that endless variety of productions with which the European press is teeming, from the lightest novel and poetry of the day, up to the most daring reaches of philosophy and the nicest points of philology and criticism. The reasonable proportion of those upon music and the fine arts, attests the tendencies of the public taste, and indicates that stage in the educated mind when it has received the last impress and polish of refinement. It argues that beauty of mental perception and exquisite delicacy of feeling, which are connected with elegance of manners, and the highest culture of the understanding.”—pp. 33-39.

The oration of Peter McCall, Esq. on the 29th of November, 1832, was devoted to a consideration of the progress of the

society of Friends in Pennsylvania, and their impression on her institutions, literary, benevolent and political. He enforced the prominent influence of that society by a view of the peculiar character and principles of the men who founded and long governed the state. The topic was undoubtedly of interest and importance, and is well handled by Mr. McCall. The language is always neat and appropriate, and the illustrations occasionally beautiful.

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It has indeed been sometimes the case that the student of physical science, accustomed to explain, in words, laws of nature whose final cause is inscrutable, and to accept these explanations in the room of that knowledge which is unattainable, has presumptuously fancied that natural effects were the result of agents controllable, if not producible, by human power. Nay some have gone so far as to assert the agency of chance in the

production of the fair world which we inhabit. Such opinions are, however, far from being the usual or the legitimate results of profound scientific enquiry ; and we may indeed safely assert that they have never occurred to the enquirer into the phenomena of the material world, except where the mind had been previously darkened by the jargon of the metaphysician, and was prepared to question the evidence of its senses.

Whoever enters without any previous bias into the study of the works of nature, and draws to his aid a knowledge of the physical and mixed mathematical sciences, must see at every step evidence of a wisdom in design, and a skill in execution, so far surpassing the proudest triumphs of human ingenuity, that the greatest extent of our knowledge can only enable us to admire, without any hopes even of distant imitation. And this wisdom and this skill are not manifested alone in the vast expanse of the heavens, but are seen to equal advantage in the most minute atoms that are revealed to the microscope ; not only in the structure of that body which, frail and perishable though it be, has been proudly named the microcosm, but in the invisible tenants who people drops of the most pellucid fluids.

It is in the last named instances that we are most speedily brought to a conviction of the necessity of a cause of infinite power. We may ascribe the mutual attraction of the planets, the aggregation of the parts of inorganic bodies, the phenomena of chemical action, to forces that we may choose to say are inherent in material substances, and some are so wilfully blind as to rest here and enquire no further. But in the phenomena of life, whether vegetable or animal, we see these forces either set at absolute defiance, or so modified as to produce the most unexpected results ; and when we find the vital agents brought into action we know not how, extinguished we know not wherefore, and discover that every new advance only serves to render the distance between us and these causes more apparent, we are compelled to rest in our enquiry, and admit, however mortifying to our pride, that these are the works of an author as pre-eminent in power as he is in wisdom. The best and most potent arguments of natural theology are therefore drawn from the science of physiology.

“The evidence of design and contrivance in the works of nature carries with it the greatest force whenever we can trace a coincidence between them and the works of human art. If in any unknown region of the earth we chanced to discover a piece of machinery, of which the purpose was manifest, we should not fail to ascribe it to the workmanship of some mechanist, possessed of intelligence, actuated by a motive, and guided by intention. Farther, if we had a previous knowledge of the operations of similar kinds of mechanism, we could not doubt that the effect produced was the one intended by the artificer. Thus, if in an

unexplored country, we saw, moving on the water of a lake, the trunk of a tree carved into the shape of a boat, we should immediately conclude that this form had been given to it for the purpose of enabling it to float. If we found it also provided with paddles at its sides, we should infer, from our previous knowledge of the effects of such instruments, that they were intended to give motion to this boat, and we should not hesitate to conclude that the whole was the work of human hands, and the product of intelligence and design. If in addition, we found this boat furnished with a rudder and with sails, we should at once understand the object of these contrivances, and our ideas of the skill of the artificer would rise in proportion to the excellence of the apparatus, and the ingenuity displayed in its adaptation to circumstances.

"Let us suppose that in another part of this lake we found an insect,* shaped like the boat, and moving through the water by successive impulses given to that medium by the action of levers, extending from its sides, and shaped like paddles, having the same kind of movement, and producing the same effects. Could we resist the persuasion that the artificer of this insect, when forming it of this shape, and providing it with these paddles, had the same mechanical objects in view? Shall we not be confirmed in this idea when we find that these paddles are constructed with joints that admit of no other motion but that of striking against the water, and thus of urging the animal forwards through that dense and resisting medium? Many aquatic animals are furnished with tails which evidently act as rudders, directing the course of their progressive motion through the fluid. Who can doubt that the same intention and the same mechanical principles which guide the practice of the ship-builder, are here applied, in a manner still more refined and with a master's hand? If nature has furnished the nautilus with an expansible membrane, which the animal is able to spread before the breeze when propitious, and by means of which it is wafted along the surface of the sea, but which it quickly retracts under unfavourable circumstances, is not her design similar to that of the human artificer, when he equips his bark with sails, and provides the requisite machinery for their being hoisted or furled with ease and expedition."

We may add: how complex and clumsy are all the contrivances of human art as applicable to this particular case, when compared with the strong yet delicate, the effectual yet simple, means by which the operations of the living animal are performed? How slow are the manœuvres of the most perfect vessel, compared with actions of the living bark, which obey the simple volition with the proverbial rapidity of thought?

"The knowledge of the laws of electricity in its different forms, is one of the latest results which science has revealed to man. Could these laws, and their various combinations, have been unknown to the power who created the torpedo, who armed it with an energetic galvanic battery, constructed upon the most refined scientific principles, for the manifest purpose of enabling the animal to strike terror into its enemies, and paralyse their efforts to assail it?

"Does not the optician, who designedly places his lens at the proper distance in a darkened box, for the purpose of obtaining vivid pictures of the external scene, evince his knowledge of the laws of light, of the pro-

* Such as *Notonecta Glauco*, Lin. or water-boat-man, and the *Dytiscus Marginalis*, or water beetle.

erties of refracting media, and of the refined combinations of those media, by which each pencil is brought to a separate focus, and adjusted to form an image of remote objects? Does it not, in like manner, argue the most profound knowledge and foresight in the divine artist, who has so admirably hung the crystalline lens of the eye in the axis of a spherical case, in the fore part of which he has made a circular window for the light to enter, and spread out on the opposite side a canvass to receive the picture? Has no thought been exercised in darkening the walls of this camera obscura, and thus preventing all reflection of the scattered rays that might interfere with the distinctness of the image? What human art has ever equaled the surpassing skill, by which, within so small a space, are provided the means of viewing bodies with equal ease, whether they lie within a few inches or at a distance of millions of miles; a provision that we know exists, but which our most close investigation has still left almost unexplained? What minute acquaintance with the properties of light, and of the media it traverses, has it not required to obtain an image free from the defects of those produced by the most perfect artificial instruments? Who placed this delicate apparatus in a cell where it is almost certainly protected from external violence, yet possesses an extended field of view? Who lodged it on elastic cushions allowing it every requisite freedom of motion; contrived the delicate cordage and pulleys by which this motion is caused; gave it lids to exclude dust, and fringed them with a silky veil? Who causes its windows to dilate and contract in conformity with every varying intensity of light, often without our knowledge, and always independently of our volition? Can the most absolute sceptic refuse to admit that the planner and constructor of such wonders is divine?

“These facts, if they stood alone, would be sufficient to lead us irresistibly to this conclusion; but evidence of a similar kind may be collected in abundance from every part of living nature to which our attention can be directed, or to which our observations have extended. The truths they teach, not only acquire confirmation by the corroborating tendency of each fact of the same description, but the multitude of these facts is so great that the general conclusion to which they lead must be considered as indubitable.”

If we consider life merely as a mechanical force; we find it opposing and overcoming forces which in other cases are unconquerable. The tree rises and towers to the clouds, its sap circulates in its vessels, animals increase in stature and their blood is propelled to their highest points, in direct opposition to the force which holds the planets in their orbits and governs the path of suns mightier than our own. The products of organic matter are composed of elements united often in direct opposition to the laws of chemical attraction; we may examine them and discover their constitution, but even in their simplest form they defy our imitation. We find those of similar composition dissimilar in properties, we know not why: the most wholesome food and the most deadly poisons, may be identical in their chemical analysis, and the food which ministers to the growth of the vilest parasitic animal is the same with that which nourishes the boasted lord of creation.

Life is of two descriptions, giving birth to the two great

natural kingdoms, the vegetable and the animal. Between the more perfect specimens of these two great reigns, it is impossible to mistake the difference, yet there are instances, where the more distinctive properties of each become so feeble, that naturalists have been puzzled in which kingdom to class them. The grand and important distinction taken by our author is this:—vegetables absorb into their circulation whatever is presented to them, without the aid of any preparatory operation; while in animals, their food is elaborated and prepared for circulation by a preliminary process requiring an appropriate organ.

The only vehicle of the food of plants is water, and so essential is this to their growth that it was at one time supposed that it was alone sufficient. This water is absorbed from the soil by apertures placed at the extremities of the roots. Thence it is forced upwards, not only by the capillary attraction of their pores, but by a mechanical force which has been shown to be, in some instances, greater than the pressure of the atmosphere, and must in all be sufficient to raise the fluid to their highest branches. In some plants this force is suspended by the influence of frost, which destroys the life of the succulent parts, and locks up the circulation even in the firmest woods. In others a heat is supplied by the vital action which renders the sap capable of resisting the cold. It is by no means easy to explain the generation of heat in animals, and the fact of a raised temperature in vegetables has been but little noticed, nor has any attempt been made to account for it. We conceive however, that the latter is attended with little difficulty. The food of plants is liquid, their permanent parts solid, and in the conversion of the former into the latter, heat is unavoidably disengaged and assumes the sensible form. Thus by a wise application of a universal law, plants are prepared to vegetate near polar snows and at the edge of glaciers. The aqueous matter absorbed by the roots of plants carries with it every soluble substance in the soil, or in the neighbouring atmosphere. From the former source it derives earthy and saline matter, from the latter a variety of gases. Gases are also confined by the soil, and there can be no doubt that the water takes them up also; of the gases, that which is usually supposed to have the greatest influence in vegetable physiology is carbonic acid, but we are inclined to ascribe an important agency to the carburets of hydrogen, which are evolved by the decomposition of animal and vegetable substances, and to matter so subtile as to have escaped chemical research, although known to our sense of smell, and which we find to be absorbable by water.

The water holding such substances in solution is raised, by the forces of which we have spoken, to the leaves. Here it is

spread over a large surface, and permitted to communicate with the air by means of numerous pores. By an action which requires the presence of light, the carbonic acid is decomposed, its oxygen is liberated and mixes with the atmosphere, while the carbon entering into new combinations remains in the plant. By this action the sap, which has ascended in the form of a watery liquid, is converted into gum or resin, which commences its descent towards the root, and in its progress deposits the woody fibre and other parts of the vegetable structure. Among these deposits one of the most important is *fecula* or starch, which although not directly useful, is stored up in cavities or cells, out of a superabundant nutriment, in order to enter again into the circulation at times when appropriate food is deficient. With these are also deposited such earthy and saline matter as the peculiar character of the plant requires; thus, *silex* is deposited in the joints and stems of the grasses, carbonate and sulphate of lime in other terrestrial plants, potash in terrestrial vegetables, and soda in those which grow in and near the ocean. These earths and salts, although hardly noticed by chemists, among vegetable principles, are, notwithstanding, each in its proper sphere, necessary to the growth of plants. Thus the *salsola* will not grow at a distance from salt water; wheat will not flourish in a soil which does not contain carbonate of lime; clover fails when the sulphate cannot be furnished, and the grasses wither in pure calcareous earth.

At the root of the plant the descending fluid, as is now generally believed, discharges all that is unnecessary to the growth of the plant, and often such soluble substances as are actually noxious to it. It thus happens that there are plants, two successive generations of which can be raised with difficulty, or refuse to grow spontaneously on the same soil. In our own forests, a growth of pine is succeeded by oak; of hemlock, by beech and maple; and a skilful agriculturist will refrain, even if he have no difficulty in obtaining manures, from repeating the same crops in too frequent succession.

Such then is the apparently simple process of the growth and nourishment of plants. Yet how much is there in it inscrutable to us! The mighty plane springs from the same soil with the most minute herb; the dense and heavy locust, with the succulent clover; and the deadly night-shade with the nutritious and wholesome wheat. Their most important elements are identical in character, and yet how different the character of their combinations, even when in similar proportions?

If we look to the mechanical structure of plants, we shall find most distinct evidence of wisdom in design. Their structure is made up of bundles of hollow tubes, which not only allow freedom of circulation, but give the greatest degree of

strength. If they are to support the weight of heavy seeds, or resist violent external action, the tubular structure is not confined to their elementary parts, but these are again arranged in a tubular form, and thus the greatest degree of strength is, by a well known mechanical principle, attained at the least expense of material. The stems of trees rise from their roots, branches are inserted into trunks, and twigs spring from branches, in forms that mathematical analysis has shown to be the most stable, and which the most skilful artists have found profit in imitating.

“The graceful and continuous curve with which the stem of a tree rises from the ground, is the form which is best calculated to give stability to the trunk. Evidence of express mechanical design is likewise afforded by the manner in which the trunk is subdivided into its branches, spreading out in all directions, manifestly with a view to procure for the leaves the greatest extent of surface, and thus enable them to receive the fullest action both of light and air. The branches, also, are so constructed as to yield to the irregular impulse of the wind, and again, by their elasticity, to return to their natural positions; and by these alternate inflexions on opposite sides, to promote the circulation of the sap in the vessels and cellular texture of the liber and alburnum.”

“Nothing can exceed the elegance of these forms, which are every where presented in the vegetable kingdom; whether they be considered with reference to their direct utility for the support of individual life, and the continuance of the species, or whether they be viewed as component parts of that beauty which is spread over the scenery of nature, and is so delightfully refreshing to every beholder alive to its fascinating charms. How enchanting the variety of flowers that decorate, in gay profusion, every path of the garden of creation; and into which the further we carry philosophic scrutiny, the more forcibly will our hearts be impressed with the truth of the divine appeal, that ‘even Solomon, in all his glory, was not arrayed like one of these.’”

* * * * *

“In the smaller parts of plants, as in the general fabric of the whole, we find, on examination, the most admirable provision made, according to the particular circumstances of the case, for the mechanical objects of cohesion, support, and defence. Thus, the substance of the leaf, of which the functions require that a large surface be expanded to the air and light, is spread out in a thin layer upon a framework of fibres, like rays, connected by a network of similar fibrils, and constituting what is often called the skeleton of the leaf.”

“In all these vegetable structures, while the objects appear to be the same, the utmost variety is displayed in the means of accomplishment, in obedience, as it were, to that law of diversity which seems to be a leading principle in all the productions of nature. It is more probable, however, judging from that portion of the works of creation which we are competent to understand, that a specific design has regulated each existing variation of form, although that design may be beyond the limited sphere of our intelligence.”

We have seen that, besides carbonic acid, other compounds of carbon of less solubility are absorbed in solution with water by the roots of plants. These require to be converted into carbonic

acid before they can be elaborated and prepared for nourishment. To meet this, the leaves of plants decompose carbonic acid only when light is present. During the night they absorb oxygen from the atmosphere and emit carbonic acid. But the latter action is far less intense than the former, and thus the oxygen liberated is in much greater quantity than that absorbed. It therefore happens that the plants with which so great a portion of the earth is covered, are continually pouring out that gas which is indispensable to the support of animal life. This gas, by a mechanical law, tends to distribute itself uniformly through every part of the atmosphere, and thus no appreciable difference has been detected in its quantity in air of the most distant places, and varying in salubrity in the most remarkable degree. Animals again convert this oxygen into carbonic acid, and prepare it to serve as the food of plants. Thus by an arrangement whose wisdom is apparent, the two kingdoms are made to contribute mutually to each other's support. Nay they are essential to each other's existence. Destroy the animal reign, and the vegetable will speedily perish for want of its proper nutriment. Eradicate the vegetable cover of the earth, and the air will ere long lose that element by which a noxious portion is separated from the blood at each respiration.

We are glad to see that our author leans again to the almost abandoned theory of the origin of animal heat. The oxygen of the atmosphere, in extracting carbon from the blood and forming with it carbonic acid, must as we conceive generate heat. The phenomena are no doubt very different from those of ignition, yet we cannot but believe that they are correctly ranked under the general fact of combustion. The combination begins at temperatures far less than are required for that of any other modification of carbon; and produces a less degree of heat than their usual combinations are attended with, in consequence of the greatness of the surface over which so limited a quantity of charcoal is spread. Yet we cannot in consistence with other chemical actions deny that heat must be generated. Thus the blood at each respiration has a greater degree of heat imparted to it than is wasted by its own exposure to cooling influences. But this excess of heat is not accumulated in the animal frame. On every part of the surface of the body minute pores exist, through which a colourless fluid is continually transmitted by healthy animal action. The quantity of this is graduated in exact proportion to the excess of heat, and it is subject to spontaneous evaporation by which this excess of heat is carried off in the latent state. Thus the body of a healthy man, exposed to variations of temperature of a great but not unlimited extent, is capable of maintaining a uniform heat.

We have said that this power is not unlimited. Natives of warm climates are affected with torpor when suddenly transported to those which are cold, and the negro race is reduced to inaction in weather which acts as a stimulus to the energies of the Caucasian family. Europeans suddenly transported to tropical climes, as was observed by Davy, are oppressed, and their bodies heated beyond the appropriate limit. From this cause disease infallibly arises; and this, if fatal in some instances, causes such a change in the structure of the skin of those who survive, as to allow of more copious transpiration, by which the proper equilibrium may be subsequently maintained.

The structure of animal bodies is made up of various solid and fluid materials. Bones, shells, or crusts, are the firmest of the solid parts; the softer portions are made up of a cellular tissue; the bones are tied together by ligaments. Of these ligaments many are inextensible, while others unite great compactness and strength, with a considerable degree of elasticity. The latter are employed in the support of heavy parts, which require to be suspended and yet possess freedom of motion.

“An instance occurs in quadrupeds, in that strong ligament which passes along the back and neck to be fixed to the head, and to support its weight when the animal stoops to graze. This, the *ligamentum nuchæ*, as it is termed, is capable of great extension, and by its elasticity, reacts with considerable force in recovering its natural length, after it has been stretched. This ligament is particularly strong in the camel, whose neck is of great length.”

Similar ligaments connect the necks of birds to their backs, hold their wings to their bodies, when not in use, retract the claws of feline animals within their sheaths, and support the organs of digestion in herbivorous animals. These ligaments act by their own elasticity, and independently of the volition of the animals. Voluntary motions are produced by muscles. These are capable of contracting in obedience to the will, and of allowing themselves to expand when the exertion of volition ceases. In this contractility a principle of motion resides which cannot be referred to any of the primary forces which exist in the mechanical world. Mere machinery is incapable of exerting mechanical force, unless it have derived it from some external source. Even in the watch and the steam engine, the power is to be traced to the hand which wound up the spring, or that which supplies the furnace with fuel.

Even in the lower classes of animals, whose substance appears to be little else than mere pulp, this power of contractility is apparent, although we cannot perceive the means by which it is transmitted; and organs of similar structure exist in the higher classes of animals, where they influence involun-

tary motions, and perform important functions, such as those of respiration. In the latter classes, however, muscles are generally made up of numerous distinct fibres, which can be traced from the point at which the muscle is supported, to that where its contractility acts to produce motion. This power of the muscles is often exerted upon points distant from that part of the living animal in which themselves are situated, for it often happens "that the presence of the moving agent in the spot where its action is wanted would be exceedingly inconvenient." The connection is, in such cases, made by tendons, which act like ropes or pulleys to transmit the force to the place where it is needed. Thus, as the human hand would have been cumbersome and unwieldy if it had been incumbered with all the muscles necessary for the movements of the fingers, they are therefore situated upon the arm, and their tendons pass over the wrist to the bones which are to be set in motion.

The lowest station in the scale of organised animals is occupied by the sponges. These possess no powers of locomotion except during the brief period which elapses between their separation from the parent animal, and their finding a proper place to which to attach themselves. From the latter moment they become as stationary as vegetables, and their mode of receiving nourishment appears in some degree similar, for they are constantly pouring forth minute streams of water from visible orifices, which must be supplied by the absorption of that liquid through minute pores.

Polypi, in their external appearance, and in the forms of the habitations they construct, also approach the vegetable reign; they become fixed, at an early period of their life, and lose the power of removing from the spot to which they are, as it were, rooted. Still, however, the distinction we have already noted exists; the food of animals must be conveyed into an interior cavity, where, as in a chemical laboratory, it undergoes that change which results from the operation called *digestion*.

The lowest orders "have little more than a simple digestive cavity, performing, at once, the functions of the stomach and the heart; without any distinct circulation of nutrient juices, without vessels, nay, without any apparent blood. Long after all the other organs, such as the skeleton, whether internal or external, the muscular and nervous systems, the glands, vessels, and organs of sense, have, one after another, disappeared, we still continue to find the digestive cavity retained, as if it constituted the most important and only indispensable organ of the whole system."

"The possession of a stomach, then, is the peculiar characteristic of the animal system, as contrasted with the vegetable. It is a distinctive criterion that applies even to the lowest orders of zoophytes, which, in other respects, are so nearly allied to plants. It extends to all insects, however minute, and even to the minutest of microscopic animalcules."

That animals should, in general, possess powers of locomotion, is a corollary of this mode of nutrition. While plants belong to the spot whence they derive their nourishment, an animal has receptacles in which he may lay in a store of food, and may be said to be supported from within.

“Important consequences flow from this plan of structure; for since animals are thus enabled to subsist for a certain interval, without needing any fresh supply, they are independent of local situation, and may enjoy the privilege of moving from place to place. Such a power of locomotion was indeed absolutely necessary to beings which have their subsistence to seek. It is this necessity, again, which calls for the continued exercise of their senses, intelligence, and more active energies; and that leads, in a word, to the possession of all those higher powers which raise them so far above the level of the vegetable creation.”

If the distinction between the lower stages of animal life and that which is merely vegetable be difficult to point out, this is not the case in the animals whose organization is more perfect. These are particularly marked by extensive powers of locomotion, exercised in obedience to volition.

Each independent voluntary motion of an animal is caused by the action of a pair of muscles. These are so arranged that one must, necessarily, contract when the other expands. If one, therefore, act to bend a joint, the other yields to its action, and again reacts, without assistance from the first, to straighten the limbs. Hence they have been respectively named *flexors* and *extensors*, and called *antagonists* to each other. These muscles rise from portions of the body usually more near to the trunk than the parts to which they communicate motion, and when the latter are limbs, are applied to points at no great distance from the joint. Thus each separate element of the limb becomes a lever of the kind ranked by mechanics as the third class. In this, velocity is gained at the expense of power. This loss of power is attended in no case with any evil consequence, for the contractile power of the antagonist muscles is in all cases sufficient for the exigencies which the habits of the animal demand. On the other hand great benefit is derived from the superior degree of agility which is thus conferred. But there are many mechanical cases in which the effective action is to be measured by the square of the velocity, and in all these cases the arrangement which we have mentioned is demanded for the most useful exertion of strength.

There is one marked exception to this general rule. Man is, as we shall have occasion to see hereafter, planned to walk in an erect posture. His usual mode of progress requires that his weight shall be moved horizontally forwards, with rapidity, and at the same time slowly raised. The first action being performed parallel to the surface on which it rests, requires no

great exertion of power, and is performed by levers of the third class. But the second action demands a greater exertion than in the case of quadrupeds, as a single limb of man must do as much as two of theirs, and at the same time maintain a balance under far more difficult circumstances. To meet this exigency a part of the lower limb, which in quadrupeds serves merely to extend the length of the leg, is fashioned in man into the principal portion of his foot. The fulcrum or point around which the motion is performed, is transferred from the ankle joint to the ball of the foot, and the muscles which give it motion are bound by tendons to the heel. Thus the lever becomes one of the second order, power is gained at the expense of velocity; and a motion which even those animals that approach most nearly in structure to man, perform with difficulty, and which to others is impossible, is effected by man with the greatest ease. To complete the arrangement, muscles are provided of more than usual size: these reside in the calf of the leg, and are not only essential in this particular office, but add, in no small degree, to human beauty and symmetry.

“It is impossible to doubt that nature intended man to assume the erect attitude, when we advert to the mode in which the head is placed upon the spiral column. The enormous development of the brain, and of the bones which invest it, increases so considerably the weight of that part of the head which is situated behind its articulation with the vertebræ of the neck, that the balance of the whole is much more equal than it is in the monkey, where the weight of the fore part very greatly preponderates. The muscles which bend the head back upon the neck, and retain it in its natural position, are therefore not required to be as strong as they are in quadrupeds, especially in those which graze, and in which the mouth and eyes must frequently be directed downwards, for the purpose of procuring food. In man this attitude would, if continued, be extremely fatiguing, from the weakness of these muscles, and the absence of that strong ligament which sustains the weight of the head in the ordinary horizontal attitude of quadrupeds.

‘Pronaque cum spectant cætera animalia terram,
Os homini sublime dedit, cælumque tueri
Jussit, et erectos ad sidera tollere vultus.’—OVID.

“In all quadrupeds, and even also in the quadrumana, the fore extremities more or less contribute to the support and progression of the body; it is only in man that they are exempted from these offices, and are at liberty to be applied to other purposes, and employed as instruments of prehension and touch. In the power of executing an infinite variety of movements, and of actions requiring either strength, delicacy, or precision, the human hand and arm, considered in their mechanism alone, are structures of unrivalled excellence; and when viewed in relation to the intellectual energies to which they are subservient, plainly reveal to us the divine source from which have emanated this exquisite workmanship, and these admirable adjustments, so fitted to excite in our breasts the deepest veneration, and to fill us with never ceasing wonder.”

This erect posture is not maintained without effort. Although from habit we are not aware of the action which is demanded in sustaining us in an upright position, such action is notwithstanding necessary, and is of such a degree that we are continually led to relieve ourselves from the fatigue it causes, by changing our support from one foot to the other ; and no exercise is more annoying than to be compelled to use both legs at once for any long period of time to support our bodies. In man and most of the great class in which he is ranked, the extensors are longer than the flexor muscles, and hence the position of the limbs when neither are in action is slightly bent. When the former act and the latter are relaxed the limb is straightened, as one of the legs is when we stand erect. In the elephant, however, whose great weight demands much exertion to raise it, the two sets of muscles approach more nearly to equality in length, and hence his legs are capable of retaining the form of a column when the volition ceases, as in sleep, and it is not absolutely necessary for him to lie down to repose. Some birds also sleep resting on their feet. In these, however, the same power is given by an exactly opposite arrangement. The feet are formed of several limbs analogous to the toes of the human body, and the bones which correspond to the foot of man, form the lower portion of the leg. The tendons which convey the action of the muscles to the foot are thin and wiry, and the extensors much longer than the flexors ; hence the position of the joints of the foot when they are not in action, is that of the greatest curvature. When by the action of the muscles the foot is spread out and set upon the ground, their subsequent repose tends to draw the claws together, but this motion is counteracted by the pressure of the weight of the body, and they are firmly fixed upon the ground. Thus the body of birds may be balanced, and rest even during sleep, on but one of the feet.

In birds which perch when they sleep, the tendons which bind the toes rise from muscles near the body, and pass over the intervening joint, so that "whenever these joints are bent, those tendons are put upon the stretch, and mechanically, or without any action of the muscles, close the foot."

"The power of flying is derived altogether from the resistance which the air opposes to bodies moving through it, or acting upon it by mechanical impulse. In the ordinary movements of our own bodies, this resistance is hardly sensible, and scarcely even attracts notice ; but it increases in proportion to the surface which acts upon the air, and still more according to the velocity of the moving body ; for the increase is not merely in the simple ratio of the velocity, but as its square, or perhaps even a higher power. In order that an animal may be able to fly, therefore, two principal conditions are necessary ; there must, first, be a considerable extent of surface in the wings or instruments which act upon the air ; and there must, secondly, be sufficient muscular power to give these

instruments a very great velocity. Both these advantages are found combined in the anterior extremities of birds, and no animals belonging to any other class possess them in the same perfection. No quadruped, except the bat, has sufficient muscular power in its limbs, however aided by an extent of surface, to strike the air with the force requisite for flight. No refinement of mechanical ingenuity has ever placed the Dædalion art of flying within the reach of human power; for even if the lightest possible wings could be so artfully adapted to the body as to receive the full force of the actions of the limbs, however these actions may be combined, they would fall very short of the exertion necessary for raising the body from the ground."

Birds are heavier than the medium through which they fly. This action, therefore, cannot be accomplished without the exertion of great force. For this purpose, muscles of great size and strength are provided, and seated upon the breast of the bird. These have for their support a bone also of great size and strength, the sternum, and having a part, descending like the keel of a ship from its lower surface. The wings move in an oscillating manner, with nearly equal force in each direction, and hence would give but little progressive motion but for their admirable form and structure. Their upper surface is convex, while that beneath is concave; hence the latter, the velocity of the two motions being equal, meets with the greatest resistance. The feathers, also, in the downward motion of the wing close upon each other, and present a continuous surface; while in its rise, they are turned with their edges towards the air, and allow that fluid a free passage between them; the motion of each feather being in fact the same as that performed by a rower who *feathers* his oar. The very direction in which the wings move is adapted to the habits and mode of life.

"Birds of prey have a great obliquity of wing, and are consequently better formed for horizontal progressive motion, which is what they practise in pursuing their prey, than for a rapid, perpendicular ascent. Those birds which rise to great heights in a direction nearly vertical, such as the *quail* and the *lark*, have the wings so disposed as to strike directly downwards without any obliquity whatsoever."

The flying fish, a small animal of the lizard tribe, and the bat, possess like birds the power of flying. The latter alone has it in any degree of perfection. Its skeleton is not very dissimilar to that of man, but is stronger and larger in proportion in the chest and arms. Both legs and arms concur in the motion of the wings, and the latter are spread upon the four bones which may be called the fingers.

Fishes have their abode in another medium from that in which birds move. Here motion analogous to that of flying is produced by very different means, but which are exactly adapted to the circumstances of the case. The medium being comparatively dense, the mean weight of the body is the same

as that of an equal bulk of fluid; to cause their ascent and descent, they are furnished with a vessel or bladder containing air. When this is compressed by the muscles with which it is furnished, the body becomes denser than water, and the fish sinks; when the muscles are relaxed, the air in the bladder expands, the density is less, and the fish rises. This bladder is so placed that the centre of gravity of the fish lies higher than the centre of magnitude. The fish is therefore in danger of being overturned by a slight force. To prevent this, it is furnished with pectoral fins which enable it to steady itself.

The pectoral fins aid but little in the progressive motions of the fish. These are produced by the action of the tail, in a mode resembling the sculling of a boat. In this important motion by far the greater part of the muscular matter of the fish concurs, and the muscles of each pair are equal in length, so that under circumstances of rest the body remains straight. The tail itself is a large fin, which alters its curvature according as its action is to propel or in the opposite direction.

Not only are the muscles which move the bones thus admirably contrived, and adapted to every particular case of animal existence, but the bones themselves are constructed with consummate skill. They are composed of a mixture of animal gelatine and phosphate of lime. By two distinct modes of analysis either of these may be obtained separate from the other, and each, when thus separated, retains the original figure of the bone. The gelatine alone is a tough but flexible mass, the calcareous part hard and brittle; but by their mixture, these two properties, that are scarcely compatible with each other in inorganic matter, are skilfully united.

“The different mechanical purposes for which bones are employed in the animal economy, require them to be of different forms. When a part is intended to have compactness or strength, with a very limited degree of motion, it is divided into a great number of small pieces, united together by ligaments, and the separate bones are short and compressed, approaching more or less to a cubical shape. Of such is the column of the spine composed, as also the joints of the wrist and ankle. Where the principal object is either extensive protraction, or the provision of broad surfaces for the attachment of muscles, we find the osseous structure expanded into flat plates: as is exemplified in the bones of the skull, in the shoulder blade, and still more remarkably in the bony shield which surrounds the body of the tortoise. On the other hand, where a system of levers is wanted, as in the limbs, which have to sustain the weight of the trunk, and confer extensive powers of locomotion, the bones are modeled into lengthened cylinders, generally somewhat expanded at the extremities, for greater convenience of mutual connection.”

These cylinders are hollow, and thus the same principle of which we have spoken in mentioning the stems of vegetables, is again brought into action, and strength attained with the least possible weight.

The proportions of these bones in different animals are also modeled upon the most exact mechanical principles. In small animals the relative diameter of the cylinders is much less than in large ones, as the skilful architect or machinist increases the transverse dimensions of his structure in a greater ratio than the increase of its magnitude. The muscles too are increased in relative thickness in the same manner. In spite of such modes of increasing strength a limit finally exists, where the weight would either crush the materials, or become too unwieldy to be moved. But this limit is not approached in terrestrial animals, for although the speed of the elephant bears no proportion to the length of his stride, it is notwithstanding as great as that of almost any other animal; and although his strength as applied to draught bears a less ratio to his own weight than that of a horse, the absolute resistance he is able to overcome is greater than that of many horses.

“Ants will carry loads which are forty or fifty times heavier than their own bodies, and the distance which many species are capable of leaping, compared with the size of the insects themselves, appears still more astonishing. Linnæus has computed that the *melolantha*, or chaffer, is, in proportion to its bulk, more than six times stronger than the horse; and has asserted that if the same proportional strength as is possessed by the *lucanus* or stag-beetle, had been given to the elephant, that animal would have been capable of tearing up by the roots the largest trees, and of hurling huge rocks against his assailants, like the giants of the heathen mythology.”

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“The diminutive size of the beings which display these powers is itself the source of a mechanical advantage not possessed by larger animals. The efficacy of all mechanical arrangements must ultimately depend on a due proportion between the resisting and moving forces: hence, mechanism of any kind must be adjusted not merely with reference to the relative but also to the absolute, dimensions of the structures themselves. This will be evident when we consider that the forces which are called into action are resisted by the cohesion of the particles composing the solid parts of the machine: and this cohesion being not a variable, but a constant and definite force, must necessarily limit the dimensions of every mechanical structure, whether intended for stability or for action. An edifice raised beyond a certain magnitude, will not support itself, because the weight of the materials increases more rapidly than the strength.”

We find this law carefully observed in all animal structures, whether belonging to the present epoch of the earth's existence, or to some former period.

Even the mastodon and megatherium are yet within the limit of sufficient agility, and beyond their giant frames we have no reason to believe that nature has ever attempted to extend her mechanical works on the surface of the solid land. But where the frame can be supported by a liquid pressure, so that the influence of weight is no longer sensible, she prescribes no such

limit to her undertakings, and animals of enormous bulk sport and float in the fields of ocean, while every bed of geological formation furnishes evidence, that, at former periods of the globe, other animals, equally remarkable for size, have been constructed, to dwell in the same element. When thus supported, the kraken and the sea serpent are animals whose existence need not excite incredulity; while if the latter were to be placed upon the land, no muscular force would enable him to move his cumbrous folds.

If we exclude these animals, one of which seems universally to be considered as fabulous, and the other, in spite of the testimony of numerous credible witnesses, has not yet been restored to the place which Linnæus once assigned it in his system of nature, the cetacea are the largest animals which inhabit our globe.

“A cursory view of the organization of the tribes belonging to this semi-amphibious family will impress us with the resemblance they bear to fishes; for they present the same oval outline of the body, the same compact form of the trunk which is united with the head without an intervening neck; the same fin-like shape of the external instruments of motion, and the same enormous expansion and prolongation of the tail, which is here also, as in fishes, the chief agent in progression. With all this agreement in external characters, their internal economy is conducted upon a totally different plan; for although constantly inhabiting the ocean, their vital organs are so constructed as to admit of their breathing only the air of the atmosphere, and the consequences which flow from this difference are of great importance. The necessity of aerial respiration compels them to rise at short intervals to the surface of the water; and this air with which they fill their lungs in respiration, gives their bodies the buoyant force which is necessary to facilitate their ascent, and supersedes the necessity of a swimming bladder, an organ which is so useful to the fish.”

“With the intent of diminishing still further their specific gravity, nature has provided that a large quantity of an oily fluid should be lodged under the skin, a provision which answers also the purpose of preserving the vital heat of the body. A great accumulation of this lighter substance is found on the upper part of the head, apparently with a view to facilitate the elevation to the surface of the blowing hole or orifice of the nostrils, which is placed there.”

Within, there is a strong resemblance to the structure of terrestrial animals; the exterior extremities, although externally like fins, are spread upon bones exhibiting the same number of digits and the same divisions of bones “as exist in the most highly developed organization, not merely of a quadruped, but also of a monkey, and even of man.”

Among the terrestrial mammalia, man holds about the mean place in regard to size. He combines the two requisites of strength and agility in the highest degree, and is thus prepared to exercise, by his bodily energies, that empire which his reason enables him to attain over the rest of creation. It may be safely

asserted that a given weight of matter arranged in the structure of man performs the maximum of labour, even when applied to work which needs no intelligence. In addition he is inspired by the buoyant principle of hope, under the influence of which he renews his strength, after being exhausted by toil. Here the energy of his mind imparts powers of restoration possessed by no other animal. The ox, however patient and enduring, becomes unfit for labour after his growth is completed, and even the blood horse, when once broken down, never recovers his pristine vigour.

The larger terrestrial animals, from their great weight, would find it difficult to obtain the means of subsistence, were it not for particular arrangements by which this purpose is fulfilled.

“The most remarkable of these is the elephant, the colossal giant of quadrupeds. The many peculiarities which are observable in the conformation of this animal, have all an obvious relation to the circumstances of its condition. Formed for feeding on a great variety of vegetable substances, and more especially on the tender shoots of trees, fruits, and grain, as well as on herbage and succulent roots, its organs of mastication are powerful, and its teeth of great size. The whole of this apparatus requires an immense development of bone to render it efficient; so that the head, with its huge tusks and grinders, is of enormous weight. Had this ponderous head been suspended at the end of a neck of such length as to admit of its being carried to the ground, as is the case with grazing animals, it would have destroyed the balance of the body, and would have required greater force to raise and retain it in a horizontal position than was competent to any degree of muscular power. Nature has accordingly abandoned this form of structure, and has at once curtailed the neck, bringing the head close to the trunk of the body, and supporting it by means of short but powerful muscles, which are not implanted in any particular point of the skull, as they are in other quadrupeds, where the occipital bone forms a crest or ridge for that purpose; but the general surface of the cranium has been enlarged by an immense expansion given to its interior cellular structure; and thus the muscles are attached to a considerable extent of bone, instead of being affixed to a single process, which would have incurred great risk of being broken off by their action. These large cells are constructed with a view to combine strength with lightness; the plates which form their sides being disposed in a radiated manner towards the circumference, and arranged with great regularity; and the cells themselves, instead of containing marrow, are filled with air, by means of communications with the Eustachian tubes which open into the nostrils; thus a great extent of surface is given to the skull, without any addition to its weight.

“The head being limited in its range of motion by its approximation to the trunk, the mouth cannot be applied directly to seize the food: and some means were therefore to be contrived for bringing the food to the mouth. For this purpose, a new organ, *the proboscis*, has been constructed; it consists of a cylinder, perfectly flexible, and of a length sufficient to reach the ground when the elephant is standing. The animal has the power of moving it in all possible directions by means of a prodigious number of muscular fibres, which are collected in small bands, some passing transversely, and radiating from the interior towards the circumference, others situated more obliquely, and a third set running longitu-

dinally, and forming an exterior layer; but they are all variously interlaced together so as to compose a very complicated arrangement. The extremity of the proboscis, which is endued with great sensibility, is furnished with an appendix resembling a finger, most of the functions of which, indeed, it is capable of performing."

As a further instance of the exact adaptation of the structure of animals to their mode of life and peculiar wants, may be cited the class of ruminant quadrupeds.

"Nature has moulded the organs of progressive motion in this tribe of animals to accommodate them to the peculiar conditions of their existence, while she has still preserved their relations to the primitive type of the class to which they belong. Thus she has bestowed upon them the slender and elegant forms, which characterize the fleetest racer, and has provided for the agile, yet firm and secure, movements which they are to exercise in various ways, in eluding the observation, and escaping from the pursuit, of their stronger and more sagacious foes. This purpose they effect at one time by a rapid flight across extensive tracts of country; at another, by retirement into unfrequented forests or mountains of difficult access, crossing their rugged surfaces in all directions, clambering their precipitous acclivities, and fearlessly bounding over intervening abysses, till the place of safety is attained upon some rocky eminence. From this secure station, the Alpine chamois looks down upon its pursuers, and defies their farther efforts at capture or molestation.

"The astonishing feats of agility practised by this animal, by which the most experienced hunters are perpetually baffled in their attempts to approach it, sufficiently attest the perfection of its organization in reference to all these objects. The chamois has often been seen to leap down a precipice of twenty or thirty feet in height, without sustaining the slightest injury. How the ligaments which bind the bones together can resist the violent strains and concussions they must be exposed to in these quick and jarring efforts is truly wonderful."

Thus provided with the means of safety from enemies of more formidable character, nature has supplied means of defence against their more equal rivals. For the latter purpose most of them are furnished with horns, and even when these are wanting, the animal strikes instinctively with its forehead, which is expanded and fortified for the purpose.

The grand division of the animal kingdom which ranks next to those furnished with vertebræ, comprises articulated animals. In these, the strong solid parts, which replace in their use the skeletons of vertebrated animals, are situated externally, and the muscles lie within them as in a coat of plate armour. Such at least is the case with two important classes, the crustaceous and insect tribes. Upon the latter nature has lavished the choicest gifts of animal powers, as far as they are compatible with the restricted scale of their formation. When an insect has reached its perfect state it is provided with a great number of instruments, suited to a great variety of external actions; these are articulated limbs, that may be employed as legs, claws, pincers, oars, feelers, and finally, wings. This high state of

organization it appears can be best reached by a passage through many intermediate states of development.

Thus, in the butterfly and moth, the egg laid by a beautiful winged insect, gives birth to a caterpillar, an animal which in outward shape bears not the least resemblance to its parent, or to the form it is afterwards to assume. It has in fact both the external appearance and the structure of a worm. But they contain within them the rudiments of all the organs of the perfect insect. These are concealed by a number of successive coats, which, as the growth of the animal proceeds, are thrown off one after the other. With the last of these, the limbs, and all the means of progressive motion, are thrown aside; the insect appears as if wrapt in a shroud, without any semblance of external members, and with but feeble indications of life. In this state it continues for a time, until the growth of its new organs is completed, when it bursts asunder its coffin and commences a new state of existence.

“The worm which so lately crawled with a slow and tedious pace along the surface of the ground, now ranks among the sportive inhabitants of the air; and expanding its newly acquired wings, launches forward into the element on which its powers can be freely exerted, and which is to waft it to the objects of its gratification and to new scenes of pleasure and delight.

“The larva or infantile stage of the life of an insect is, in all its mechanical relations, a mere worm. The *imago* or perfect state, on the other hand, exhibits strong relations to the crustaceous tribes, not only in the general form of the body, but also in the consolidated texture of its organs, and in the possession of rigid levers shaped into articulated limbs, and furnished with large and powerful muscles; from all which circumstances, great freedom and extent of motion are derived. To this elaborate frame nature has added wings, those refined instruments of a higher order of movements, subservient to a more expanded range of existence, and entitling the beings on which they have been conferred to the most elevated rank among the lesser inhabitants of the globe.

“The mechanical functions of insects scarcely admit of being reduced to general principles, in consequence of the great diversity of forms, of habits, and of actions, that is met with among the innumerable hosts of beings which rank under this widely extended department of the animal creation. In these minute creatures may be discovered all the mechanical instruments and apparatus required for the execution of those varied motions which we witness in the larger animals, and which, though almost peculiar to the different classes of these animals, are here frequently united in the same individual. Insects swim, dive, creep, walk, run, leap, or fly, with as much facility as fishes, reptiles, quadrupeds, or birds. But besides, these have also movements peculiar to themselves, and of which we meet with no example in other parts of the animal kingdom.”

If any doubt however could remain of this wisdom and power of the Divine Architect, it must at once disappear upon examination of the organs of sense, and particularly of that whose structure is almost perfectly understood by us, namely, the organ of vision.

The eye of man, in its general character, resembles the optical instrument called the camera obscura. In this, by means of a convex lens, an inverted image of external objects is formed upon a plane screen ; but as the rays from objects at a given distance converge upon an imaginary surface that has a concave form, the image of any given set of objects is never perfect in the artificial instrument ; but in the eye, a globular figure provides a screen of the shape which is exactly adapted to this object. The artificial instrument also gives an imperfect image, because the rays from a given point passing through the lens at different distances from its axis do not converge in the same place, a defect that goes by the name of the spherical aberration. Theoretically speaking, this defect might be counteracted by giving curves to the surfaces of the lens different from the sphere, but each variety of form would only meet a single case, and the lens must be changed with change of circumstances ; nor have any mechanical contrivances yet been discovered by which such forms can be given. In the eye, this aberration is remedied by a contrivance of the greatest simplicity, but which no human workmanship, and no inorganic substance, can imitate. The lens of the eye is not only formed by curves differing from the sphere, but it is made up of a number of concentric layers, varying in density from the centre to the surface. Thus by the higher power of refraction possessed by the denser media, the rays which would otherwise converge latest are brought to a focus at the same point with those which would otherwise converge most rapidly.

The image of a common lens is fringed with the prismatic colours, in consequence of the differing refrangibility of the rays of light. This chromatic aberration, as it is called, is compensated in the eye by the union of three distinct media whose powers of refraction and dispersion are so nicely balanced that the coloured rays are first separated and then again combined into a homogeneous light. Of these media, one is the solid lens of which we have spoken ; the second, or aqueous humour, is a fluid which fills the anterior portion of the eye, and which being most exposed to injury is capable of being renewed ; the third, or vitreous humour, occupies the greater part of the ball of the eye, and is of mixed structure which adapts it most admirably to its place. Were this vitreous humour a liquid, it would permit the eye to change its figure too readily under the influence of external pressure ; were it solid the eye would be rigid and incapable of change. To allow a partial change of figure and yet insure against such as would be extreme, the vitreous humour is made up of a number of transparent filaments, among which is diffused a liquid. These, by a provision inimitable by art, have precisely the same refracting power, and

hence the light traverses them exactly as if they were a single medium of homogeneous character. So perfectly has this object been attained, that it is but recently that this peculiarity of structure has even been suspected. The nervous screen upon which the image is formed, is of extreme sensibility ; hence we are dazzled by excess of light, and close our eyes to escape the pain it causes. Yet, although it is not necessary that we should gaze directly at the sun, it is essential that we should view objects illuminated by the full force of his rays, and on the other hand we are frequently called upon to exercise our vision in his absence. These two different powers are made compatible by the beautiful structure of the iris. Formed of two sets of antagonist muscles, the one radiating, the other circular, it constitutes a diaphragm pierced by a circular orifice. These muscles obey not our volition, but the irritability of the nervous screen, and thus increase the area of the aperture when the light is faint, and lessen it when its action is more intense. Some animals are by their habits of life compelled to use their eyes in the full intensity of solar light. These are furnished with a third and semi-transparent eyelid, by the closing of which they exclude the painful impression, and yet retain the power of vision. Others again must seek their subsistence in light so faint, that the eye of man is insensible to it. These have a nervous screen of even greater sensibility, but the contraction of the iris reduces the aperture, when exposed to the light of day, to the shape of a narrow longitudinal slit. Even this great degree of contraction is not sufficient in all cases to do away the painful sensation, and hence animals thus constructed find their hours of repose when others are in the height of their activity.

The very limits then which are set to the powers of the eye of each animal, are in fact a happy provision for his rest and relaxation. Except under the pressure of intense fatigue, man cannot slumber in the day, while the cat, the owl and the bat find, in the solar ray, a motive and incentive to sleep.

In the mere position of this diaphragm a degree of wisdom has been shown that was not even suspected until pointed out by the acuteness of Wollaston. In any other place than that which it occupies, it could not have lessened the degree of illumination, without at the same time diminishing the field of view ; but as it is actually placed, no change in this respect occurs.

The muscular apparatus by which the eye is moved in the vertical and horizontal directions, and caused to revolve, although to a limited extent, around its own axis, are worthy of admiration from their simplicity and efficacy ; as well as the manner in which these three separate motions are made to concur in directing the axes of the two eyes to a single object.

In the camera obscura but one set of objects, namely, those at some given distance, can form distinct images at one and the same time. In order to obtain a distinct view of objects at other distances, the lens must be moved farther, or brought nearer to the screen. The eye has the same properties; but this is no defect, for it is unnecessary that we should view more than a single object at a time. But it is absolutely essential that we should pass our vision from one object to another, with the rapidity of our own thoughts. The eye possesses this power of adaptation to different distances in the highest degree; between a distance of eight or nine inches and that of the fixed stars, the eye is capable of adapting itself to distant vision, and the more remote objects are only less known to us because the angle they subtend is lessened. Yet this extensive power is produced by means so trivial in comparison to the effect, that they are not yet admitted to be understood. We are of opinion, however, that Sir Edward Home solved the question a short time before his death. He discovered that the ligaments which sustain the crystalline lens in its place are muscular; the effort of their action would be to render the front of the eye more convex, and at the same time increase the length of its axis. These two changes would suffice to adapt the eye for the view of nearer objects; a contrary action would prepare it for those more remote. It only remains that the antagonists of these muscles should be discovered, to make the explanation of the phenomenon complete. Another mode of accounting for the adaptation of the eye to vision at different distances is due to a distinguished countryman of our own,* whose loss the scientific world has just been called upon to deplore. He ascribed a change in the figure and convexity of the eye to the united action of the four straight muscles which give it its vertical and horizontal motions; and here the explanation was complete, but it was necessary to conceive that muscles evidently intended as antagonists should concur in the operation, a case of which no other instance is known.

It is because the eye is best known to us, that it is a favourite object for the illustration of the argument of the natural theologian. The other organs of sense also manifest the utmost delicacy of arrangement, while their mechanism is so refined as in many cases to escape our highest powers of research into its object and action. Still, enough can be understood to show that where our knowledge is at fault, it is because that of the planner of these works exceeds our limited intelligence. Even in the eye, as in all senses, we are at once compelled to pause in our enquiries by a barrier which, it may safely be predicted,

* David Hosack, M. D., LL. D., F. R. S. &c. &c.

no human learning will ever be able to penetrate. We can trace the rays of light until they form an image on the retina, and show why the eye, considered merely as an optical instrument, far surpasses those constructed by human art; but we are unable to say how this picture becomes an object for the contemplation of the mind. Here the mysteries of nature become inscrutable, nor can we, while loaded with a material clog, be able to specify how mind and matter mutually act upon each other.

We cannot better conclude our article than by extracting the eloquent passage with which our author closes his argument.

“The pursuit of remote and often fanciful analogies has, by many of the continental physiologists, been carried to an unwarrantable and unreasonable length: for the scope which is given to the imagination in these seductive speculations, by leading us far away from the path of philosophical induction, tends rather to obstruct than to advance the progress of real knowledge. By confining our enquiries to more legitimate objects, we shall avoid the delusion into which one of the disciples of this transcendental school appears to have fallen, when he announces, with exultation, that the simple laws he has now discovered have explained the universe; nor shall we be disposed to lend a patient ear to the more presumptuous reveries of another system builder, who, by assuming that there exists in organized matter an inherent tendency to perfectibility, fancies that he can supersede the operations of divine agency.

“Very different was the humble spirit of the great Newton, who, struck with the immensity of nature, compared our knowledge of her operations, into which he had himself penetrated so deeply, to that of a child gathering pebbles on the sea shore. Compared, indeed, with the magnitude of the universe, how narrow is the field of our perceptions, and how far distant from any approximation to a knowledge of the essence of matter, of the source of its powers, or even of the ultimate configuration of its parts! How remote from all human cognizance are the intimate properties of those imponderable agents, light, heat and electricity, which pervade space, and exercise so potent a control over all the bodies in nature! Doubtless there exist around us, influences of a still more subtle kind, which ‘eye hath not seen, nor ear heard,’ neither can it enter into the heart or imagination of man to conceive. How scanty is our knowledge of the mind; how incomprehensible is its connection with the body; how mysterious are its secret springs and inmost workings! What ineffable wonders would burst upon us, were we admitted to the perception of the spiritual world, now encompassed by clouds impervious to mortal vision!

“The great Author of our being, while he has been pleased to confer upon us the gift of reason, permits us to acquire by its exercise, a knowledge of some of the wondrous works of his creation, to interpret the characters of wisdom and goodness with which they are impressed, and to join our voices to the general chorus, which proclaims ‘his Might, Majesty and Dominion.’ From the same gracious hand we also derive that unquenchable thirst of knowledge, which this fleeting life must ever leave unsatisfied; those endowments of the moral sense, with which the present condition of the world so ill accords; and that innate desire of perfection which our present frail condition is so inadequate to fulfil. But it is not given to man to penetrate into the counsels

or fathom the designs of Omnipotence: for in directing his views into futurity, the feeble light of his reason is scattered and lost in the vast abyss. Although we plainly discern intention in every part of the creation, the grand object of the whole is placed far above the scope of our comprehension. It is impossible, however, to conceive that this enormous expenditure of power, this vast accumulation of contrivances and of machinery, and this profusion of existence arising from them, can thus, from age to age, be lavished without some ulterior end. Is man the favoured creature of nature's bounty, 'the paragon of animals,' whose spirit holds communion with the celestial powers, formed but to perish with the wreck of his bodily frame? Are generations after generations of his race doomed to follow in endless succession, rolling darkly down the stream of time, and leaving no track in its pathless ocean? Are the operations of the Almighty power to end with the present scene? May we not discern, in the spiritual constitution of man, the traces of higher powers, to which those he now possesses are but preparatory; some embryo faculties which raise us above this earthly habitation? Have we not in the imagination a power but little in harmony with the fetters of our bodily organs; and bringing within our view purer conditions of being, exempt from the illusions of our senses, and the infirmities of our nature, our elevation to which will eventually prove that all those unsated desires of knowledge, and all those ardent aspirations after moral good, were not implanted in us in vain?

"Happily, there has been vouchsafed to us, from a higher source, a pure and heavenly light to guide our faltering steps, and animate our fainting spirit in this dark and dreary search; revealing those truths which it imports us most of all to know, giving to morality higher sanctions, elevating our hopes and our affections to nobler objects than belong to the earth, and inspiring more exalted themes of thanksgiving and of praise."

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- ART. IV.—1.** *The Report of and Testimony taken before the Joint Committee of the Senate and House of Delegates, of Maryland, to which was referred the memorial of John B. Morris, Reverdy Johnson, and others, praying indemnity for losses sustained by reason of the riots in Baltimore, in the month of August, 1835. Published by order of the General Assembly. Annapolis, 1836.*
- 2.** *Testimony taken before the Joint Committee, &c. in behalf of the Civil Authorities of Baltimore, &c. Annapolis, 1836.*
- 3.** *An Act to indemnify Reverdy Johnson and others, &c.*
- 4.** *An Act relating to Riots. Pamphlet Laws of Maryland, 1836.*

The occasion of the passage of the acts of the Legislature of Maryland, which we have cited above, is doubtless fresh in the minds of our readers. The repose of the entire country was disturbed by the news of one of our finest cities being the prey of lawless rioters; that devastation in its most fearful shape (for

it is such, when the result of unbridled popular fury) was in progress upon noble private mansions and their costly furniture; and even fears were most justly entertained that murder, the savage rending of limb from limb, had closed the appalling and disgusting spectacle. The question was naturally put, where was the police, during this work of destruction? where the able bodied townsmen of Baltimore? Are our laws so inefficient, our love of order and of justice so weak, that men could look upon havoc of this description without rushing to the rescue? that no apprehensions of the supremacy of lawless passion and its possible outbreking upon the property, nay, the persons, of each one in turn, could induce a union of the good against the bad? Was it the case that riot and robbery could openly exhibit their foul proportions and gather strength from impunity, without exciting the combined opposition of all good citizens? Our country, it was admitted, had not been a perfect stranger to such scenes, nor could the city in question, (and the retrospect brought a flush to the cheek, partly of anger and partly of shame,) claim a full exemption. But these were regarded as special though fearful dispensations of Providence, which, like earthquakes or volcanic eruptions, by their evidence of control over the general laws of nature, may be designed to awaken man to a knowledge of that God whom, in the smooth current of life, he is, too often, liable to forget.

One scourge had, but a short time before, passed through the land, and laid thousands low in the sleep of death. This fearful visitant had come upon the wings of the wind, and with noiseless step rendered its presence known only by its awful attendants, disease and dissolution. The recurrence of riot, in different quarters of our before comparatively quiet country, bursting suddenly forth, with no premonition and apparently without concert, led to the persuasion that an epidemic was traversing the body politic, the result of some mysterious action upon our citizens, which would pass off, like other providential visitations, and probably leave the state, cleared of noxious vapours, more healthy than before.

There were, however, upon mature reflection, circumstances attendant on the transactions, which induced more serious thoughts. Probable ground appeared for the suspicion, that there was something wanting in our system of police, we may say, indeed, of society, to restrain the outbreaks of her bad elements, and to call into more active exercise, her purer portions. It was not to be pretended that our land was without her evil elements, or that they needed no repression. There was too fearful proof to doubt their existence. It is aside from our present purpose, and therefore we shall not stop to enquire into the causes of their growth; but it became evident that

much was necessary to check their further progress, and guard against their consequent increase of strength. The apprehension was entertained, that popular passion being excited upon any of the thousand questions which are afloat in our community, each was to be resolved by an appeal to brute violence without waiting for the action of the constituted authorities, or in complete disregard of their decisions. That, in fact, Lynch law, which was supposed, theretofore, to be the peculiar evil of our western settlements, was about to plant its foot upon all parts of the Union.

These apprehensions were strengthened by the course of this riotous spirit. It did not commence its ravages in thinly populated or exposed situations; but, on the contrary, in the very heart of our oldest settlements, where the character of the population, for order and respect for the laws, was pre-eminent, and where, it was thought, the amplest opportunities and means were at hand for the suppression of disturbance. It originated not from any feelings connected with the exciting topic of slavery, or in a quarter where the solution of that momentous question is of the deepest practical importance, but was connected with (miscalled) religious sentiments, and was directed against helpless and unoffending females, and against an institution founded by one of the most numerous and the most ancient sect in the Christian world. The apathy with which, by many of the community in which it occurred, the transaction was regarded, was attributed, not without reason, to one of two causes; either, (which we hope and believe not to have been the case,) that the laws had lost their hold upon the respect and attachment of the people, or that the defective organization of the police and of the moral strength of society allowed, in the first moments of surprise, full sway to the excesses of popular fury. Riot, robbery, and arson, revelled together, and murder was but accidentally absent.

Two farther instances followed in a still more central location, and in a city whose boast is propriety and quiet. The effects of both were in a great degree similar, though the exciting causes were different. In the one case the persons and the property of a distinct class of our population, of those who, from their difference of colour, and inferiority of rights and privileges, should be the special objects of protection, were marked out for destruction and outrage. Magnanimity, if no better feeling existed, should have been their safeguard; but with a mob, who contemn religion and justice, the finer feelings of the heart can scarcely be supposed to have influence.

In the other case alluded to, the property of a citizen was destroyed during the excesses of popular excitement attendant upon an election. In a democratic republic like ours, where almost

every thing is determined through the medium of the ballot-box, and where, upon the results of particular elections, may depend the dearest interests of the community, it is inexpressibly important that the most untrammelled and most peaceable opportunity should be tendered to all to deposit and record their votes. All should feel this to be true, as all parties, in their turn, may require perfectly fair play, in order to bring forth their strength. If, moreover, each returning election day is to fetch along with it a scene of riot and battle, and the peaceful or the infirm (which two classes constitute, undoubtedly, the majority in our country) are persuaded that they can only exercise one of their most valuable rights at the risk of bodily injury, it may be, of life, they will begin to think that their liberties are purchased at too dear a price, or rather that the show of liberty is but a delusion. If, on an occasion of such very frequent recurrence as an election, where long established usage might have been, with reason, supposed to deprive even party excitement of its sting, it was seen that the result was to be bloodshed and destruction of property, well might the peacefully disposed hesitate upon the assurance of safety or repose, and cast an anxious glance at the character and sanction of the laws.

The disturbances referred to were not confined to our large cities, but extended to the smaller towns. Sometimes the burst of fury was against the coloured population, and at others it was directed towards a class of men whose principles and conduct upon the slavery question were not congenial to the views of their assailants. Again, in other places, it was considered truly democratic to put down the friends of temperance by the strong arm of the multitude. It would, however, be tedious to enumerate the nice shades of opinion which were doomed, together with their advocates, to extirpation by violence.

The effects plainly discernible from such a course of things might well justify serious fears. These fears would not be limited to mere immediate personal injury, or loss of property; although even such considerations would operate most powerfully on many in their choice of a country for their home. But they would extend much further; embracing a dread of the probable destruction of our frame of government, and of the liberties of the people. The rock on which every democratic republic is apt to split, is licentiousness. We refer not now to licentiousness as the result of excessive refinement and luxury, but to the *licentiousness of equality*, (falsely so called, for there is none where the vested rights of others are invaded.) We refer to the excesses of radicalism or agrarianism; the inroads of ambition, cupidity, selfishness, and unholy passion, upon the property or the particular immunities of others, acquired under the authority and sanction of equal laws, constituted by the

voice of those who had the right to establish them. The dread of such excesses is a righteous dread. They found the worst tyranny ; to a liberal and just mind, the most insupportable ; and one to which the calm repose of a despotism, if private rights are secure, is far preferable. While such a tyranny lasts, each act of aggression portending even more fearful changes, miserable indeed is the lot of the inhabitants of any land ; but as the scourge would become, for any long period, intolerable, its termination would be that very despotic autocracy which the leaders and fomenters of popular excesses pretend the most to abhor.

Such a result being obviously consequent upon such violations of law and peace, and the facilities being seen to be so great for their performance, the lovers of order looked with horror at the opening thus offered to the arts of unprincipled demagogues. With no stake in the community, having nothing to lose and every thing to gain from disorder, men of that description would readily be found to excite the populace to acts of violence against the wealthy and established classes, and to raise the whirlwind, if they might haply direct the storm. Many such persons, blinded by their selfishness, or, by their own vehement protestations of the fact, persuading themselves of its truth, induce the ignorant to believe that they are the veritable friends of equal rights ; that no envy of superior wealth, no thirst for power, no inordinate self-conceit or uneasy passion, are goading them into rebellion ; and that what between man and man would be sheer robbery, is nothing but the pursuit of liberty and equity, when perpetrated by numbers, against a particular class in a community. The blindness and wickedness of such defy experience. As we before hinted, a military despotism is the goal whither all such designs tend ; and the sceptre of empire is generally grasped by some bold spirit at the eleventh hour, the prime movers of insurrection being, long before, swept to destruction by the very waves which themselves had lashed into commotion.

Considerations of this kind evince the absolute necessity of some further and additional measures in our country for the preservation of the rights of property, the maintenance of order, and the repression of popular tumults. The public act of the Maryland legislature, whose title we have placed at the head of this article, seems to us one important step towards their adoption.

In making this movement, the state of Maryland has done the whole country infinite service, and set an example worthy of general imitation. She is the first state in our Union which has passed a general law upon this very momentous topic, and we cordially hail it as a harbinger of better times. It shows that

there, at least, the property and the intelligence of the community have been aroused to a sense of what is due to their own preservation from lawless violence.

The legislature of Pennsylvania, at its late session, passed a law involving the same principle, though the act had reference to a single individual. It was to indemnify an owner of property in the township of Moyamensing for its destruction by a mob on an election day—one of the instances we referred to above. This is, in some measure, a pledge by that state that similar cases, should any such occur, will be similarly provided for; or rather a paving of the way towards a universal provision. Most gladly do we so regard it.

We should have felt more confidence in the good sense of our fellow-citizens, and their exemption upon such occasions from the influence of other motives than the permanent welfare of their country, had the introduction of the two laws mentioned been the only instances in which the principle of such a measure was debated in a legislative assembly of our country. Unfortunately, in a memorable case which is fresh in the recollections of us all, views, which we deprecate as signally mistaken and unfortunate, prevailed over the dictates of justice and manifest future, if not present, expediency. Our readers will perceive that we have reference to the destruction of the Ursuline Convent at Charlestown, Massachusetts, in the summer of 1834. It is not our purpose to do more than allude to this case. The circumstances of the outrage are notorious. If ever there was an instance of unprovoked, cool-blooded devastation, embracing a host of smaller offences, and reaching even the heinous crimes of robbery and arson, it was the one in question. The residence of helpless females and of children was the object of attack; the religious feelings of a large and respectable class of citizens were outraged; and a blow struck at the very foundation of society. The fact was also perfectly established of the total apathy of the constituted authorities, and their ability, if they had chosen to exert it, of checking, if not of preventing entirely, the work of destruction; a neglect which, in public officers, should have been held tantamount to participation in the crime. No offence was shown to have been committed by the victims in any particular; much less a pretence that, if any crime had been perpetrated by them, the ordinary tribunals of the country were insufficient to punish it. In the face of all this, the legislature of an enlightened state refuses to indemnify the sufferers; violates the pledge of security extended to all who come within her borders and conduct themselves as good and peaceable citizens; and in great measure destroys the delightful association theretofore connected with the name of America, that she was the home and the *asylum* of every one who needed protection.

We have now, however, fallen upon better times ; we are encouraged to say so by recent enactments. The present would seem to be the proper season to establish general regulations upon the subject ; and it could be discussed upon its abstract propriety alone, as the heats of controversy have, to a considerable extent, evaporated.

The provisions of the Maryland law we shall briefly state. Any county, incorporated town or city, within whose jurisdiction a riot or tumult occurs, if the rioters or tumultuous assemblage of people shall destroy or injure any church, chapel or convent, any dwelling-house, place of business or store, any ship, ship-yard or lumber-yard, or any barn, stable or outhouse, or shall destroy, injure or take away any articles of personal property, shall be liable to pay to the sufferers the full amount of damages so done or destroyed, under certain restrictions and qualifications. These are, that no such liability shall be incurred, unless the authorities of the county, town or city shall have good reason to believe that such riot or tumultuous assemblage was about to take place, or having taken place, should have had notice thereof in time to prevent the injury or destruction, either by their own police or with the aid of the citizens of the county, town or city—and that no indemnity shall be received, if it shall be satisfactorily proved that the civil authorities, and citizens, when called on by the authorities, have used all reasonable diligence and all the powers entrusted to them for the prevention or suppression of such riotous or unlawful assemblages.

It will be perceived at once, that the object of this law is to make the public amenable only when proper diligence has not been used to guard against or suppress riot. If the regularly constituted civil authorities and the body of citizens invoked by them, in the exertion of proper diligence and of all the powers entrusted to them, are not of ability to effectuate the object in view, it must be regarded as a visitation of Providence, to be borne without murmuring by the sufferer alone. This, however, is a result that can scarcely ever occur ; for we venture to assert that any riot, never so alarming, can be quelled by the police, aided by the strenuous exertions of well disposed citizens ; and this without any of the farce of a military display. The presumption ought therefore to be always against the public and in favour of the sufferer ; and it should lie upon the former to rebut this presumption and satisfactorily to prove that no exertions, however great, and no diligence, however wary, could have obviated the consequences.

Another argument for this limitation is equally plain. There must be some *direct motive* to exertion. The liability upon the citizens generally must not be the same, if they exert themselves

to the utmost, as if they stood carelessly by, or looked on the work of devastation with indifference. If the responsibility were to attach at all events, or were to exist under no circumstances, in either case the citizen might fold his arms in apathy, not caring to make a fruitless exposure of his person. But if he be aware that, by instant action, the loss may be altogether prevented, or by continued energy on his part the ravage be at least stayed, his direct personal interest in the event will surely prompt his active participation in quelling the tumult.

An indemnity by the public for loss from riot is recommended by the following additional considerations.

Riots and tumultuous assemblages must be quelled by one of two means ; either by military force or by the civil authorities aided by the citizens. To the first mode there are insuperable objections.

It must be remembered at the outset that we have no distinct military class in the states of this Union. The regular troops of the United States government, if from their paucity they deserve the name, are of course totally disconnected from the state governments, and their interference in mere municipal regulations would be unwarranted. But if even we had such, or their aid could with propriety be asked, most bitterly would we deprecate their presence on these occasions. Bloodshed is generally the result ; but what, as connected with the loss of life, is the most lamentable consideration, is the fact that death generally finds its victims among the innocent bystanders or helpless women and children. The firing of a ball is the throw of a lighted match into a powder magazine—the elements of death and destruction are scattered on every side, and often fall upon scenes and persons remote from the immediate place of action.

The taking away of life is too awful a matter to be entrusted to the dictum of a commanding officer or the impetuosity of a private soldier. The dreadful decree is of questionable validity, even when propounded after the solemnities and investigations attendant upon a legal trial. We would prefer leaving this tremendous application of power to the fiat of the Giver of life ; and would not, if possible, have the annals of our country marked by a single occurrence of capital punishment. Certainly not for any crime short of wilful and deliberate murder, and then only when pronounced by judicial lips.

The dangers in the exercise of this supposed right of repression by military force would be sufficient to cause its rejection, even from a regard to the agents themselves. This may be affirmed also with reference to England. In that country, the theory of her constitution and laws does not recognise any more than our own, the military as a separate class in the state, and

yet practice has almost legalized the idea. The re-enactment by successive parliaments of the statutes providing for the discipline and support of the army, has become a matter of course; and we know perfectly well, that ever since the time of Alfred, the militia of the kingdom has been organised and trained, and become familiar with the use of weapons of war. In ordinary tumultuous assemblages, (we speak without reference to what might come under the head of high treason,) they have been the power usually applied to by the civil authorities to aid in their dispersion. By the common law (independently of the different riot acts) private persons, (and this would embrace the military,) in aid of the officers of justice, would be justifiable in causing death, only where proper and necessary means were used to prevent a felony or to apprehend a felon. The acts we have alluded to (which are not in force in this country) authorize the dispersion of unlawful and riotous assemblies by the civil authorities and those whose assistance they may invoke, (generally the military, not as such, but as persons assisting to the officers of justice,) and if death ensue in the performance of the duty, the slayer is indemnified. The question would however constantly recur as to the conduct of the individual, on the particular occasion; (the officer in command, most commonly, if the firing were by his orders;) whether the act were wanton and uncalled for, or demanded by the urgency of the exigency. The temptation to exert irresistible force would in most instances be too great for the temperament of any military man. The fact of death being caused, throws the burden of excusing or justifying it upon the individual charged, who must bring himself within the exemption of the law, which properly regards all killing as *primâ facie* unlawful.

The predicament, then, in which the officer or soldier in such cases is placed, is most unfortunate, both for himself and for the unhappy person killed; and that law is unjust which subjects him to it, and trifles with human life.

If this be the case in England, how much more glaringly so is it here, where, as we have said, we are wisely left to the common law, and have held out no legislative encouragements for the taking of life? The interference of every individual with deadly weapons is at his own risk, and if death ensue by his act he must justify it to God and his country. He must show, and that satisfactorily, the necessity of the act done by him, either for the suppression of a felony or the arrest of a felon; or that it was committed in personal self-defence, his own life being otherwise in danger from the person slain.

The injury to the public spirit and feeling from a recurrence to the military to quell disturbances, we hold to be by no means inconsiderable. The people should be taught to feel that the

well disposed of their fellow-citizens are the instruments of their coercion, and not mere soldiers as such. They should be taught to appreciate the love for the laws, and the desire of order, which call forth the peaceable citizen properly armed to put down riot; and to understand that their neighbours are the persons whom they will find arrayed against them, should any evil passion prompt them to violate the laws.

Having then, as we have said, properly speaking, no military here, the name, which is always odious and irritating to the populace, should be withheld. Its use is deceptive and injurious. Volunteers, uniformed militia, or by whatever name they may be designated, are mere citizens in disguise—to whom the use of arms is no more delegated than to the plainest coat in the streets; whose dress and seeming therefore, so unsuited and inconsistent with their actual powers, only expose them to ridicule and increase the mischief. Nothing is so pernicious in contests with mobs as the display of an inefficient force; and nothing so destructive of the energies of any body of men as the consciousness that when put to the test their efficiency is infinitely below their promise.

The military uniform then makes no difference either in legalizing the use of fire-arms, or increasing their terrors: for all purposes of actual use, the weapons of death might as well be placed in the hands of our constables as of the infantry, artillery, and horse, which compose our volunteer companies. Their dress but marks them out for insult, without exciting any dread of their presence.

The force then we should employ to quell riots would be citizens, in the garb of citizens; organized under the direction of the civil authorities, if these have the nerve and the ability to direct them: and if not, under their own leaders, who would always be at hand in such emergencies. The kind of arms presents another question.

It will be perceived that the foregoing remarks have been directed against the *use of fire-arms*; from the dangerous character of the weapon, the facility of being used for its fatal purpose, and the wide spread destruction which it occasions; its effects often, probably generally, being felt at a distance from the immediate scene of combat, and by persons not participants in it. We would select of course the weapons proper for the occasion—not constable's wands or batons, though decorated with a ribbon or a rag; but efficient serviceable clubs, swords or bayoneted muskets, to be employed with decision but with caution.

Let us not be understood as maintaining that in no supposable case is the use of fire-arms to be permitted. On the contrary they might, in some stages of riotous convulsions,

become essential, to protect life, or crush absolute insurrection. These, however, would be extreme cases ; if a proper spirit were displayed at the first symptoms of disorder, or at the commencement of the actual outbreak, in the infinite majority of instances, the riot would be quelled at once, and the last resort of stern necessity not be needed.

In all governments, however good the laws, much necessarily depends upon the character of those intrusted with their execution. The citizens of Baltimore had painful and mortifying evidence of this during the awful scenes of August last. It is therefore possible that riot and confusion might make some head-way during the inefficiency, fright or apathy of the officers of the police. Hence the necessity of some provision like the Maryland Indemnity act, to secure the watchfulness of the citizens towards their rulers and prompt them to immediate action, and interference, on the side of peace and law. This is done by connecting their *pecuniary interest* with the preservation of order.

We are aware that philosophers have placed the permanence of republics upon the attachment of the citizens to their form of government, and to the laws ; a feeling which is by them denominated a love of virtue. We believe in the existence of this feeling to a very considerable extent, and honour its purity and nobleness. We are further persuaded that as much of this sentiment exists in the United States as in any nation, now, or that ever has appeared, on the face of the earth. But we should not rely solely upon this ; clearly not, where other efficient principles are at our command. A general feeling of patriotism may do well enough with many ; with some, we should be more sceptical of its efficiency ; but even with the purest, the desire to preserve order would be increased by considerations of direct personal interest in the result. It is to be observed, that pecuniary influence is, in the case supposed, operating in the same direction with patriotism and justice, not against them ; and is therefore doubly potential. Touch a man's purse or his pocket, and generally speaking you touch a spring of instant action ; and we are not aware that republicans are more careless of their own than other people. Taxation once roused a kingdom—again, it revolutionized a continent. We might properly therefore anticipate resistance to open robbery.

In passing the law in question, the legislature of Maryland were by no means without light or even direct precedent to guide them. We refer to the statutes of *hue and cry* in England, giving an action against the hundred for highway robbery committed within its limits ; to the *riot act* of 1 Geo. I., giving a like action for damages, occasioned by tumultuous assemblages, to dwelling-houses &c., and to the *black act*, which also renders

“the hundred” responsible for certain malicious damage to barns and their contents, fishponds, gardens, &c.

Hundreds, (as subdivisions of counties are denominated,) were composed of one hundred families of freeholders, embracing ten tithings or towns. They existed in Denmark before the time of Alfred, and were introduced by him from that country into England. One chief object of their institution was the advancement of justice and the preservation of order, by rendering each man answerable in many respects for the conduct of his neighbours, and the principle has been carried out in the three instances we have mentioned, by direct legislative sanction. The statute which gave the action against the hundred for robbery, was that of Winchester. (13th year of Edward I. chap. 3.) The “hue and cry,” or fresh pursuit of the felon, must be made by the officers of the vill upon the notice of the party robbed. The hundred is not liable for robbery at night; and is also excused if the hue and cry be successful at any time within forty days from its commencement. The pursuit is made with horn and voice, and by horsemen and footmen.

The black act (which was so styled in consequence of devastations committed by persons with their faces blackened) also fixes the responsibility of the hundred in the cases embraced by its provisions, unless the offender be apprehended and convicted within six months; but the most direct precedent is the riot act, (1 Geo. I. stat. 2. c. 5.) which by its 6th section makes the inhabitants of the hundred, in which the damage is done, responsible to the sufferer for the demolishing or pulling down, in whole or in part, of any church, dwelling-house, stable, &c. &c. by any persons unlawfully, riotously, and tumultuously assembled, to the disturbance of the peace. The offence itself is felony without benefit of clergy.

It became a question (Douglass, 673,) after the famous riots in London in June of the year 1780, whether the hundred were responsible for damage and destruction of furniture, in a house done at the same time with its demolition, though the injury to the furniture was not the direct consequence of the pulling down of the house. It was decided against the hundred, and very properly. This matter is specifically provided for in the Maryland statute. It was very truly remarked by one of the judges (Willes,) in the case in Douglass, (*Hyde v Cogan*) that the furniture may be worth twice as much as the building. Further, it did not seem to be necessary, in the opinion of the judges, that the house need be demolished at all as a preliminary to liability for the destruction of the furniture.

This notion of public liability for private losses, when produced by a want of due attention on the part of government, is by no means confined to England. It is an institution which

has long prevailed in many eastern countries, and was introduced into the Mogul Empire about the beginning of the seventeenth century. The effects in those countries have been described by historians as very beneficial ; so much so as to have delivered some districts entirely from the depredations of robbers. The liability is there imposed, sometimes on all the inhabitants of a district, and at others, upon the delinquent officers of justice personally. Undoubtedly the punishment ought not to be trifling for the apathy, ignorance, or cowardice of those, by whose mismanagement thousands may be the prey of lawless bandits, and whole families plunged into the deepest distress.

By the occurrence of the "Gordon riots," in the summer of '80 in London, (of which we have just now been speaking,) that city attained an unenviable celebrity. The property of numbers of the most respectable individuals in point of family, wealth, professional abilities, learning, and private character, was food for the devastating fury of a mob for several days. Baltimore must be careful not to be thought to rival London. As we remarked before, we anticipate a different state of things hereafter. Public opinion has been aroused in Maryland to a sense of what is due to her own character and prosperity ; to her credit, and the value of her property. The joint committee of the senate and house of delegates speak in terms that do honour to their own feelings as men and as legislators. While they are willing to admit that "many high-minded and patriotic citizens burned with desire to prevent the shame of the city ;" and while they give credit to the meritorious exertions of some for the preservation of order, they unhesitatingly charge the offence "of the dark transaction" upon the community of Baltimore, as "a lamentable failure of duty." Many doubtless regretted and condemned the outrages ; but as the committee properly remark, "the duty of a citizen is not discharged by vain wishes or by fruitless regrets." The motto of the Grecian orator is in such periods the proper watchword ; "action, action, action."

Indeed no clearer case could be presented than the conclusion to which the committee in question arrived, that Baltimore "failed to perform the duties she owed to members of her own community, to her own honour as a city, and to the state of Maryland." It was the inference we drew, when the newspapers gave the first narration of the facts ; and our impressions have been confirmed by the evidence reported in detail by the committee. They bitterly regret that when, on a former lamentable occasion, which will never be forgotten, "the peace and dignity of the state were wounded by a mob ;" the legislature was not aroused "to the necessity of connecting with every

public duty an appropriate responsibility ;” and they venture the opinion, that if provision had been then made for redress to individuals “ for injuries sustained through the delinquency of any public functionary, corporation, or community,” they would not at this day have been called on “ to deplore and redress these outrages.”

The following facts were clearly established :—

That the public authorities of the city, and the citizens generally, were fully and in time apprized of the approaching tumult.

That the civil authorities, aided as they might have been by the citizens, possessed abundant means to prevent the assemblage of the rioters ; or, at any time, to quell and disperse them ; and consequently to save from injury the property of the sufferers.

That no proper measures were adopted to prevent the formation of the mob, to disperse it, or stop its violence.

That culpable hesitation, inefficiency, and want of spirit, marked the conduct of the chief officer of the city and his advisers ; a temporizing policy alike destructive of his own official reputation and of the peace of the community over whose police he presided.

That the riot could have been crushed in its inception, or at any stage of its progress been quelled, by the prompt, energetic, and determined co-operation of an inconsiderable body of *citizens* properly and efficiently armed, without the use of fire-arms, or the shedding of a drop of blood.

That the wavering and unconnected and uncombined efforts which were at intervals exerted, only served to encourage the rioters and to fan the flame of disorder.

That the final triumph of order in the way in which it was perfected, furnished the best proof of the absence of all proper management in the prior stages of the riot.

In contempt of such proofs, a refusal to indemnify the sufferers or to pass a general law for the future would have argued the legislature of that distinguished state insensible or indifferent to her fame and its own duty. A compliance with both requisitions has redeemed the character of Maryland, exalted that of her legislators, and set a bright example for the imitation of the Union.

ART. V.—*The Monarchy of the Middle Classes.—France, Social, Literary, Political. Second Series.* By HENRY LYTTON BULWER, Esq. M. P. 2 vols. 12mo. London, 1836.

The present government of France is a government of the "bourgeoisie." Let us observe the state of parties at the revolution of 1830. A portion of the royalists were favourable to the ordinances against the press, and also to the ministry—the other part were friends to the monarchy, but not to the ordinances. Of the liberalists, some were desirous of retaining the old form of government, without caring by whom it was administered, so that it was popularly administered—the rest wanted a new dynasty, and new institutions. It is these two branches of the liberalists that form the administration and opposition parties of the existing reign ; and the "juste milieu," at whose head was M. Casimir Perier in 1830, was for steering between the two. Beyond all these, a republican in principle, but not advocating a republican form of government for France, was Gen. La Fayette.

Those who desired a new order of things were for the Duc de Orléans. Henri V. was not seriously thought of, although the throne was abdicated by Charles X. in his favour. What would have resulted from the accession of the Duc de Bordeaux ? The advocates of legitimacy would have been satisfied—if new institutions were established, one branch, at least, of the liberal party would have been satisfied—M. Casimir Perier and the "juste milieu" would have been satisfied—the republicans and the ultra royalists would *not* have been satisfied. How could a republic have been established ? It would have been madness to attempt it—even La Fayette never thought of it—the declaration of a republic would have let loose the dogs of war, with the young Napoleon at their head, for there was no military *prestige* but that which was connected with his name. What would have been the state of affairs, then, with a military republic, and the Duke of Reichstadt for first consul ? The glorious recollections of the consulate and of the empire would have roused the ardour of the French soldiery—the nobility would have shrunk back—the higher "bourgeoisie" would have shrunk back—internal dissensions would have been rife—external war inevitable. Those flaming propagators of legitimacy, the Holy Alliance, would have marched to the gates of Paris, and the result could not have been doubtful.

The enthusiasm of the people, always short lived, but in France especially so, might have sustained the young Napoleon for a brief space, and then there would have been another "Restoration." Charles X. would have been on the throne

again, or else the Duc de Bordeaux with the old *régime*. Napoleon then was out of the question—Henri V. was out of the question—he was a Bourbon in the legitimate line, and the “*bourgeoisie*” were no advocates of legitimacy. Their cry of the revolution had been “*à bas les Bourbons*”—they wanted a new era, and of course a new charter, or, at least, a remodelling of the old one, which amounted to the same thing. True, the substance of this they might have had with Henri V.—but the people were aroused—a revolution was no revolution unless every thing was revolutionized. Charles X. and the Dauphin and the Duc de Bordeaux were not to be thought of. The question then was, whether a provisional government should be named, during the vacancy of the throne. This would have been a great movement for the French people—the popular enthusiasm would have had time to subside, and a permanent government could have been deliberately chosen.

Another question arose. The Duc d’Orléans was proposed. “We declare for the Duc d’Orléans,” said the liberal royalists, “because he is a Bourbon,”—“we choose the Duc d’Orléans,” said the opposition party, “because he is out of the legitimate line,”—“we will take the Duc d’Orléans,” said the republicans, “as the soldier of Jemappes.”

The choice was thus made—now how was the throne to be filled? By the Duc d’Orléans as Philippe V., or as Louis Philippe I.? The first would have been a continuation of the ancient monarchy—the other, the commencement of a new era. Messieurs Guizot and Sebastiani, with one branch of the liberal party, were for Philippe V., Messieurs Lafitte and La Fayette, with the other branch, were for Louis Philippe I. The latter prevailed, and Louis Philippe ascended the throne of France.

Now this was an extraordinary termination to a popular revolution. The king was chosen, or rather *accepted*, in a moment of excitement, when the people are governed by feeling, and apt to run into extremes. In this case, a continuation of legitimate rule with Henri V. was one extreme—a republic, with young Napoleon, was the other extreme. If the people had been left to themselves, one of these, perhaps the latter, would in all probability have been chosen; but the people were confused and uncertain, and the final choice was a compromise among the different parties.

We cannot think, that in 1830, under the circumstances then existing, the selection was the best for France—yet the result has been a good one, so far as we are able to judge in 1836. What is the government of Louis Philippe? It is a government of those classes who form the great and influential body of constitutional France, and who are prospering under the present order—a monarchy of the “*bourgeoisie*.” Commerce and

manufactures flourish, and wealth pours upon them from every side. The aristocracy of blood has been destroyed—a new influence is rising—the aristocracy of money. If France continue to prosper, the latter will prevail, and the throne of the citizen king will be preserved in peace—if not, there will be another revolution. But France *will* prosper under the present government. It is a government of peace—a government which regards the interests of the people, and does not rule for the sole benefit of the pampered few. The *Code de Commerce* has been revised and amended—the freedom of trade extended—and now we behold the ministry using all their exertions to keep off a contest with Russia. Well, but the Carlists and the republicans? Of course they must be watched—there never was a government on the face of the earth without its domestic opponents. Repressive laws are enacted to keep down the malcontents, and though the disturbers of the public tranquillity may groan about the liberty of the press—the policy of the government will be sustained by the constituency of the nation.

The government of Louis Philippe is then a government of repression—it *must* be so. Why? Because the prince at the head of it sprang from a popular convulsion, and must therefore be constantly, in the language of Mr. Bulwer, “struggling against popular concessions.” He was placed upon the throne, not by right of inheritance, but by the voice of the people; and so is expected to yield on all occasions to the clamours of the people! There can be no governing by system under such circumstances, and thus far, the rule of the doctrinaires is a weak one. The government may sometimes yield, when good policy requires it; but they must yield seldom, or they will lose the power of resisting. There must be no hesitation when action becomes necessary. Severe and decisive measures must be adopted, to quell popular commotions, and this cannot be done by a weak government.

Now we say that the late restrictions upon the press were neither despotic nor arbitrary. There is in France a large body of malcontents, made up of the ruins of several successive governments, the most visionary and dangerous of whom are the *débris* of the imperial army—regarding no consequences—utterly indifferent to death—having no personal interest at stake upon the success or failure of this or that measure—except their own miserable necks, which they care not for—these men are always at hand to foment popular discontent or excite rebellion. Can such men be governed by mild laws? It is impossible. A rod of iron must be held over them, ready to descend upon their heads at the slightest movement. But the first blow to be struck is at the *root* of the evil, and that is the

press. We say that the press is the originator of nine tenths of the popular disturbances which agitate the French capital.

What caused the revolution of 1830? The press. What roused the anger of the Parisians against their government, when the news of the fall of Warsaw reached them in 1831? The press. What induced the late attempt by Fieschi upon the life of the king—an attempt in which some of the best blood of France was shed?—by confession of the assassin, the press. And is the tranquillity of the nation to be constantly endangered by the licentiousness of the press, and the arm of government never to be raised in its defence? A government which could be thus indifferent to the happiness of its subjects, would be the contempt of its friends and foes.

The late restrictive measures against the press, were in strict obedience to the popular will, and in accordance with the principles on which Louis Philippe was elected to the monarchy. When we say the popular will, we mean the will of the “*bourgeoisie*,” the substantial citizens of France. These are the constituency of the nation—these the classes to whom the government looks for support.

Let us not be misunderstood here. We mean not to rail against the liberty of the press, properly so called. A free press is one of the greatest blessings enjoyed in a republican country; but the liberty of the press in America is the licentiousness of the press in France. In America, the people are the source of all power; they make their own laws, and administer them by means of agents created by their own will. Every citizen has an equal voice in the government of the nation—and it is the right, nay it is the duty, of the constituency to speak unreservedly of public men and public measures. It is, in truth, the only manner of effecting an interchange of views and opinions, without which the sovereignty of the people would be an empty name. In America, a law restricting the freedom of speech and of the press, would be a dagger struck into the constitution.

Not so in France. What are the resources of the French people when they become dissatisfied with the acts of their government? Is a remedy to be found in the elective franchise? Can they say to their monarch, “Your term is ended—we do not approve the course of your administration—we will elect another king”—can they say this?—if they could, there would be no necessity for restraining the liberty of the press. The voice of the people would be the supreme law, and by that would the press be governed. In a free republic the press is guided by the people—not the people by the press. That this is the case in America, is not to be disputed. No press ever could be sustained here, under the habitual violation of popular opinion. We say, then, that if the French people are dissatis-

fied with their rulers, and look for a remedy against the evils of bad government, they will find it but in one, which has never been provided for by human institutions—a resort to the ultimate right of all human beings, to resist oppression, and to apply force to preserve them from ruin.*

This is the relative position of the subjects of France, to the government of France. In the absence of a constitutional means of removing causes of dissatisfaction, their natural excitability leads them into insurrections, and the commission of intemperate acts upon slight impulses. It therefore becomes necessary for the government to adopt strong measures for the preservation of order; and if for the accomplishment of this object, they are compelled to violate a radical principle of liberty, it is a necessity which is incident to the form of government, and the character of the governed.

“What does the history of France show us?”—says Mr. Henry Bulwer, in the first series of his work on France, published two years ago—“The reign of a court—the reign of philosophers—the reign of a mob—the reign of an army—the reign of priests and a provincial gentry—a revolution effected at once by the populace, by the soldiery, and by the journalists—have any of these epochs sown the seed for a government of the ‘*bourgeoisie*?’ Then there are influences arising out of the character and history of a nation. What are these in France? Female influence—military influence—literary influence—are any of these influences favourable to a government of the *bourgeoisie*?”

No—not one of these influences. Gay, witty and chivalric—often frivolous, but highly imaginative, the French people have more love for the poetry, than for the sober realities of life. This is the character of the great mass of the nation. We have said that the existing government is a system of peace and order—it is not based upon the character of the mass—it has no root in their affections, no power over their passions—their interest is not consulted, their imagination not excited, their vanity not gratified. The character of the “*bourgeoisie*,” on the other hand, differs from that of the inferior and more numerous classes, in their comparative seriousness, their industry, their morality, their love of peace and order. Their pursuits are those of utility. The government of France is utilitarian.

It is, as Mr. Bulwer observes, a strong, a good government, founded upon principles which will probably give it stability; but for many years it cannot be popular with the mass. Napoleon sneered at England as a nation of shopkeepers. France is now rapidly approximating to that condition. The character of the government and the character of the people, are as yet at

variance with each other, and until time, by its insensible operation, shall reconcile these conflicting elements of the nation, "shall introduce the character of the nation into its institutions—the institutions of the nation into the character of the people," the position of the government will be one of much peril. The philosophy of the doctrinaires, with their system of rule, could not work—measures and expedients adapted to times and circumstances, and varying with them, must be used; and the affairs of the nation administered with a strength, sufficient to counterbalance the weakness which exists in the principle of government.

We now proceed to consider the remarks of Mr. Bulwer, upon the different classes of society; they are contained in the fourth, fifth, sixth, and seventh chapters of the second volume of the work whose title is at the head of this article. The object of our author, in the volumes before us, is to describe the social condition of France, under the influence of her existing political institutions; and seizing upon his leading idea, he has adopted, as he acknowledges, a somewhat ambitious, but nevertheless appropriate title—"The monarchy of the middle classes." Of the work itself we will merely remark, that it contains a mass of valuable information, doubtless collected with great industry, but thrown together without care, and apparently with little skill; presenting to the reader a confusion of elements, which his own ingenuity must arrange and classify—many of the pages are filled with light and amusing anecdotes, some of which we have heard before, and others, we will venture to say, no one ever heard, or ever would have heard, but for the rich imagination of Mr. Henry Bulwer. These are merely collateral to the main object of the author, like the by-play of a modern tragedy. Our limits will not allow us to do more, than thus briefly to refer to them.

"In France there is a middle class, not like the nation in America, not like the middle class in this country, (England), but a middle class composed of the ruins of an old, and the elements of a new, state of society. We see there, as in those strata of the earth, where we find the mingled fossils of animals, and of fish, and of herbs, some antediluvian, the traces of a mighty shock, which threw into unexpected companionship, things, once heterogeneous, and buried the witnesses of a former world in the womb of a present one. Not only did the revolution of '89 break down the fortunes which separate ranks—it broke down the habits. During that terrible reign, in which a noble name was a title of proscription, the lower classes lost all deference for the upper, and the upper all contempt for the lower.

"The feelings which, on either side, had kept the two portions of society apart, disappeared; and as the victories of the consulate succeeded, elevating the peasant to the command of provinces and armies, and carrying a successful soldier of fortune to the topmost pinnacle of power, even that halo which sheds itself upon the aristocratic mansion and princely palace, descended upon the cottage. High place and great con-

sideration obtained by a quality, which, for the very reason, perhaps, that it is the most common among men, is the most commonly respected,—high place and great consideration—the consequence of successful valour—created a nobility without ancestors, and which had frequently its relations among the humbler orders of the people.”

Since the revolution of 1789, the political condition of France has presented many aspects, each bringing in its train some new influences, and each leaving behind it, when its day has gone by, its mark upon the character of the people. At the period of that revolution, there existed in the kingdom a haughty and exclusive nobility, inferior in all respects to their ancestors: holding themselves aloof from the new society which was rising around it—fallen in condition—possessing no power—idle, dissipated, and vicious.

At this time, the influence of the middle classes was rapidly rising, their wealth increasing—they were full of ambition, and completely disgusted with the arrogance of a degenerate nobility. The doors of civil and military office were closed upon them—colonial employments and church preferments were reserved for the lordly few.

The inferior classes, too, possessing no property themselves, were yet without that reverence for the lords of the soil, which still remains in many countries, a remnant, or rather a reminiscence, of feudalism. But the series of abuses which led to the revolution of '89, are too familiar to the historical reader, to require a recapitulation from us—nor is it necessary to our present purpose. The exaggerated notions of liberty, entertained by the actors in that revolution, drove them into the horrible extremes which deluged France in blood, and deferred the enjoyment of that genuine freedom, which the more moderate desires of the people secured to the revolutionists of 1830. The first was a revolution begotten by abuse, and carried out by popular enthusiasm, uncontrolled by reason. The second had its origin in the indignation of the people, but modified and tempered by the experience of 1789. The first resulted in a military republic, which itself resulted in a despotism. The second ended in a constitutional monarchy with a liberal charter.

All the historical changes in the nation, from the revolution of '89 to the consulate; from the consulate to the empire; from the empire to the “restoration;” and from the government of the restoration, through the revolution of '30, to the government of Louis Philippe—if they had not so modified the character of the masses, as to render a government of the “bourgeoisie” a popular one, have at least given to the nation a tone of comparative thoughtfulness, which the operation of time will bring to maturity, and render the people satisfied with the existing order.

The government of Napoleon, although it excited in the people a love of action and a passion for military glory, and so far unfitted them for the sober business of life, nevertheless encouraged a love of political equality, and a hatred of that aristocratic policy, which closed the avenues to public distinctions upon all who wanted the influence which is derived from a line of noble ancestors. Birth had the strongest *prestige* under the old monarchies—merit under Napoleon—wealth possesses it under the present government. The middle classes of France, then, representing the property of the country, and having the greatest interest at stake upon the permanence of the government—it is its policy to give them the most powerful voice in the affairs of the nation. The judges are taken from them—the deputies, the juries, the municipal councils, all are taken from them.

Let us see of what materials this new influence is composed.

“The *seigneur* has fallen into this class—the *servant* has risen into it; and these changes have taken place, and this amalgamation has been brought about, not by the steady hand of time, that great but slow revolutionist, but by the running blow of fortune, which, altering the position of men, still leaves their manners and their memories.

“Thus though the middle class in France may, to a certain degree, represent what may be called the shopkeepers, still it does not wholly represent them; while the shopkeepers themselves are not, if I may so express myself, so completely shopkeepers as in other countries. They are more connected and more in the habit of mixing with other persons and other classes. They have less of frugality and caution, and more of elegance and luxury in their tastes and pursuits. They live in intimate companionship with the artist, the *littérateur*, the soldier; and feel no sort of barrier, either between themselves and those who have not yet risen into their sphere; or between themselves and those whose fortunes are superior to theirs.”

It is for this reason, viz.—that they are not, in France, so distinct a class as in other countries, that Mr. Bulwer thinks them better qualified to perform the duties assigned to them in the nation. The different ranks are more mingled and thrown together, and therefore those feelings of *caste* do not exist to the same extent as in some other nations.

“Still, the man who has sunk from opulence to mediocrity, or the man who is rising from indigence to wealth, is equally partial to order and tranquillity; and here the middle class in France, though composed so differently from that elsewhere, is moved by the same impulse. Containing the soldier, it is averse to war; and springing in part from the lower ranks of the people, it is averse to revolution.”

If these positions of Mr. Bulwer are correct, and we believe them to be so, the constituent power of the nation is confided to safe hands. Listen for a moment to Mons. Duvergier d'Hauranne, a deputy of the “*juste milieu*”—

"To whom indeed ought power to be given, if not to the '*bourgeoisie*' of whom we speak? To the aristocracy? I am far from undervaluing the services that those classes have rendered in former times, or to deny the kind of historical pomp which still surrounds them. *But the blindest must see that the time for an aristocracy has gone by.*

"To the classes the most numerous and poorest? I know not, for my own part, if these classes will ever arrive at such a degree of intelligence, of civilisation, and of leisure, as will give them the power of governing instead of being governed; but this I know, that at the present time they are not arrived at this state of capacity: that at all events we must govern, not by them, but for them.

"To the middle classes, then, to the middle classes alone, belongs the government of France."

"The time for an aristocracy is gone by."—The principle of Mirabeau, as proposed in his celebrated declaration of rights before the national assembly,* has been carried through the charter of the "restoration," into that of the present government, and now stands in the first† article of that instrument, the guarantee of civil liberty and political equality.

We say the guarantee of *political* equality, as contradistinguished from *social* equality, of which there exists as little in France as in any country of the universe. We will suppose a case.

There lives in Paris a Mr. A—, a foreigner of immense fortune. He is burning with a thirst for fashionable notoriety. There is in that city a haughty and exclusive aristocracy, into whose circle he aspires to gain admission. This is the darling object of his life—the subject of his daily thoughts—of his nightly dreams. He possesses not the influence which is derived from noble birth, and he finds the doors of this magic circle closed upon him. Money he has, in abundance, and upon this he relies for the accomplishment of his purpose.

There lives, in a dark street of the gay capital, a noble duchesse of the old *régime*. She is poor. Her poverty amounts almost to want. She has barely sufficient to support existence. By right of birth, she is one of the *clique* of which we speak.

The restless eye of Mr. A— falls upon this duchesse. He seeks her out, and gains an interview—long negotiations follow—a bargain is struck between them. It is as follows.

Mr. A. is to hire, for the old duchesse, a splendid suite of apartments in the Faubourg St. Germain. These are for her separate and exclusive use, as a winter residence. He is also

* "*Tous les hommes naissent égaux et libres; aucun d'eux n'a plus de droit que les autres, de faire usage de ses facultés naturelles ou acquises; ce droit commun à tous n'a d'autre limite que la conscience même de celui qui l'exerce, laquelle lui interdit d'en faire usage au détriment de ses semblables.*"

† "All Frenchmen are equal in the eye of the law, whatsoever be their titles or ranks."

to furnish her with a handsome house and grounds in the neighbourhood of Paris. This is to be her summer residence. A sufficient allowance is to be made her, for the support of these two establishments.

Mr. A— has his own gorgeous hotel in the *quartier* of the old aristocracy. He is to give a series of splendid balls. The duchesse is to invite the guests. Mr. A— himself is not allowed to invite any one. This is the express stipulation of the old lady. A grand ball is given, and Mr. A—'s salons are honoured by the presence of these distinguished guests. A— is delighted—he is in ecstasies—the great object of his desires is at length accomplished. But hold!—

“Who is that person?” says the duchesse, pointing to a gentleman in black, in a distant part of the room. Mr. A— looks confused, and stammers out,

“That—is a Mr. C—, a gentleman who was very civil and attentive to me in England—I could not well avoid asking him—I therefore—ventured.”

The duchesse draws herself up haughtily. “Mr. A—” she observes, “you cannot fail to remember the conditions which I made with you, when we entered upon this arrangement—you have violated them, sir—I trust it may be the last time.”

Mr. A— bows submissively. The duchesse walks majestically away.

Some of our readers will, perhaps, recognise this picture. But listen to Mr. Bulwer.

“Who is at the head of society there? (Paris.) The king? The court? that handsome and well favoured prince whose apartments are so tastefully adorned in the Pavillon Marsan? To the king, and his court, to the prince who is to be king and to have a court—behold! yonder salons of the elect are barred, banned!

“To whom does the banker bow so low? To the lady in favour at the illuminated Tuileries—or the dame who receives in a dark hotel in the Rue St. Dominique?

“You tell me, Monsieur Duvergier, that the aristocracy is gone by. I know no country where it is more alive—in the drawing room.

“There is a club at the corner of the Rue de Grammont, composed of the persons best known in *society* at Paris. The Duc de Luxembourg, the type of the old aristocracy, is chosen president by a great majority.

“But enter a new arena! a complimentary address is to be presented to M. de Chateaubriand.*

“The address is to produce a sensation: who should present it? The young royalists hold council together.

“What person do they select to place at their head—this time? Do the young journalists and bankers and *rentiers* select Monsieur de

* “On account of the pamphlet, containing that famous phrase—‘*Votre fils, madame, est mon roi!*’—addressed to the Duchesse de Berri.”

Luxembourg, or Monsieur de Fitz-James, or Monsieur de Montmorenci ? No ; but the Duc de Luxembourg, the Duc de Montmorenci, the Marquis de Fitz-James, select—Monsieur—Thomas.

“ ‘ We have got a capital person,’ said a Carlist to me. ‘ We have got a capital person to present the address ; a Monsieur Thomas ! ! ! ’ Dieu merci, il n’y a rien d’aristocratique dans ce nom-là !

“ This is the circumstance to be remarked in France, a circumstance puzzling to most strangers. That class which we call the aristocracy, at the same time takes the lead in private society, and the tail in public affairs.

“ Defeated in the market place and the forum, it has entrenched itself in the salon ; and if driven from the chamber, finds a consolation in breaking the hearts of the deputies’ wives.

“ An aristocracy, then, and the pretensions of an aristocracy, still exist in France, when an aristocracy and its pretensions can do little harm. When I say ‘ harm,’ I may be using a wrong expression.

“ That elegant and graceful *clique* which flitted but five years ago, in all the suavity of power—for it is not power that is insolent and exclusive—round the royal person ; hostile as a favoured band to the interests of the people, forms as a discontented faction the best opposition to a court. They who would sneer at the just rebuke of M. Odillon Barrot, will writhe beneath the courtly satire of Madame de Noailles ; and even Napoleon, after unhesitatingly crushing the constitution and the press, halted more than once before the whispered censure of a little brocaded circle, who respected his power to make kings, and smiled at his efforts to make chamberlains.”

When the consulate gave way to the empire, an order of hereditary succession was established. The old nobility had lost its *prestige*, and a new aristocracy was projected, to be founded and perpetuated on merit. This was the origin of the institution of *majorats*.

By an imperial decree, made in August 1806, a number of fiefs were created in foreign countries. These were bestowed as rewards for services to the state, and were to descend on the death of the father to the eldest son. Another species of *majorat* was an order of nobility, granted to a citizen of merit, and endowed by his own private property. The *majorats* of the first class, lying principally in conquered territories, were given, as our author observes, with the double object of attaching the nobility to the crown, and its conquests to the empire.

In a note of Mr. Bulwer it appears, that entails were first limited to the second degree, by an ordinance in 1747, and afterwards, in 1806, were prohibited. They were, however, again introduced in 1807, in a case forming an exception to the prohibition of 1806, in these words :—

“ Néanmoins les biens libres formant la dotation de titres héréditaires que l’empereur aurait érigés en faveur d’un prince ou chef de famille, pourront être transmis héréditairement.”

When these projets of law were under discussion, they were opposed on various grounds, not necessary to be detailed here. This order of things has now passed away, and the laws

relative to the abolition of majorats, and substitutions or entails, have overturned the only foundation on which a hereditary aristocracy can rest.

We say a *hereditary* aristocracy,—at this moment there exists in France two aristocratic influences,—the one emanating from the nobility of the ancient *régime*, the other from the peerage of the existing reign; the first retains its prestige in social, but not in political life,—the second is founded upon those qualities which command public respect.

“As the passion for military glory was stronger during the olden time than the pride of birth, so is it stronger at the present time than the pride of equality.

“In the reign of Louis XIV., the court saw, without a murmur, the title of ‘duke,’ which was a right, submit to the title of ‘marshal,’ which was a gift. In the reign of Louis Philippe, the nation elevates the distinctions of the camp above the doctrines that denounce distinctions among the people.”

The chamber of deputies is a representation of the middle classes. It is not elected by the mass, nor from the mass. It is chosen by a constituency of 173,000 of the “*bourgeoisie*,” more than twice the number of the constituency of the preceding reign. It is not chosen *by* the mass, because a citizen (being of the age of twenty-five years) must pay a direct annual contribution of two hundred francs, to constitute him an elector,—officers of the army and navy, and members of the institute, excepted, who need pay but half that sum. It is not chosen *from* the mass, because the candidate (being thirty years of age) must pay direct taxes to the amount of 500 francs, in order to be eligible,—to do which he must have an annual income of 3,000 francs.

It is clear that these qualifications are not possessed by the mass. Now, as to the chamber of peers :

“If you wish for another assembly, which the king and people shall respect, and to which the chamber of deputies can be appealed from, it must be an assembly composed, not of the superiorities of past times, nor of foreign states, but of the acknowledged and existing superiorities of France.

“To create such an assembly was the intention of those who founded the present chamber of peers; but I cannot but think there is a radical vice in the very origin of this institution.”

What is this radical defect, of which Mr. Bulwer speaks? Let us see :

“You wish,” says he, “for an independent body, composed of persons whose distinctions shall impose a popular authority upon the sovereign’s opinions, or give the sanction of a superior capacity and intelligence to the counsels of the people’s assembly.”

“You wish for this, and what do you do? You organize the existence of your political creation, so as to cripple it at its very birth. Will

those who are named by the king, receive the faith of the people, or can they be firm against the sovereign's displeasure? The head which should be crowned with popularity, is dishonoured by suspicion, and the hand that should be armed with independence, is paralyzed by gratitude."

Mr. Bulwer has obviously arrived at a wrong conclusion, in supposing that because the peers are nominated by the king, the chamber of peers will never be independent of the king. If Mr. B. had turned his eyes to this country, he might have beheld, in the Supreme Court of the United States, a tribunal, the members of which are nominated by the executive, and yet a tribunal which is beyond the reach of party influence. Why is this? Because the judges have no motive for yielding to such an influence. They are nominated by the executive, it is true, but they cannot be removed by the executive. The tenure of their office is during good behaviour, and they are only removable by impeachment before the national senate. In this, then, their integrity lies, that they are independent of the nominating power. And so with the peers of France. They are nominated by the king, from certain *notabilities*, but their dignity is given for life.

The next topic on which our author writes, is the condition of the working classes. He has given much labour and industry to the collection of facts on this subject, and the opinion he forms of their situation is very favourable. He is so minute in his details, however, that we could not do justice to his remarks without entering largely into their examination. We, therefore, pass on to the succeeding chapter, entitled "Equality."

"What have we seen in France? a popular literature that acknowledges no privileged order of critics; a cheap press that addresses itself to all classes of readers: a church establishment that embraces all sects of religion; strange philosophies founded on the association of all capacities; a soil partitioned amongst all ranks of persons; an upper class, whose exclusive pretensions are treated with ridicule; a middle class possessing great political authority; a working class almost independent, and demanding an increase of riches and power. Are not these things the sign of that fact which I take as a title to this chapter?"

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"The principle of equality, as understood and as existing in France, is this:—A man *may* be every thing, but he has *no right* to be any thing; he may be every thing *by ability*; he has no right to be any thing *by privilege*.

"What is the question you ask of any one in England?—*Is he gentlemanlike?*

"What is the question you ask of any one in France?—*A-t-il de l'esprit?*

"In these two questions lie the genius of two nations, which I do not compare, but contrast.

"In one, the nobility descends into the arena where power is acquired

by talent. In the other, talent, as the consequence of its power, mounts into the nobility."

Society in England is cut up into a hundred divisions, which renders the position of every man in the kingdom one of constant fretfulness. No one is satisfied with his condition in life, but is continually straining to get over the line which separates him from his neighbour.

"The Duke of Devonshire," says Mr. Bulwer, "is not more exclusive than the duke's poulterer. Society is a long series of little uprising ridges, which, from the first to the last, offer no valley of repose. Wherever you take your stand, you are looked down upon by those above you, and reviled and pelted by those below you. Every creature you see is a farthing Sisyphus, pushing his little stone up some Lilliputian molecule."

We have seen that the feelings of *caste* which existed, as well in France as in England, previously to the revolution of 1789, have been gradually vanishing since that period; the ideas of equality, among Frenchmen, date from that time, and have made rapid and increasing progress in overcoming habits opposed to those ideas, which were firmly fixed by the influence of ages.

An amusing exemplification of this fact lately occurred at Paris, after the executions of Lacenaire and Avril. One of the journals, in giving an account of the scene of execution, called the executioner and his assistants, "*le boucher et ses valets*," (the butcher and his valets). The offended dignity of this high functionary was aroused, and he proceeded to read a severe lecture to the editor, in which he stated that he was entitled, by law,* to the appellation of "*l'exécuteur des arrêts criminels*," (executor of criminal judgments); that he was so called by the minister of justice and by the judges, and that his assistants were not *valets*, but *aides*.

"The struggle," says our author, "is, and has been since the directorship of Barras, between new opinions and old manners.

"Equality is, in itself, neither republican, as some people believe, nor anti-republican, as others suppose. It is republican among the poor, anti-republican among the rich; the first it makes jealous of power, the second it makes anxious for place.

"The opinions that agitate one body would establish a democracy; the desires that prevail among the other would re-establish a court. What reigns is a system of compromise."

The succeeding chapters of this volume are chiefly occupied by statistical details. The civil and military administrations are minutely treated, and a vast deal of valuable information laboriously compiled. If our readers are desirous of investi-

* The law here referred to by the executioner, is an *arrêt* of the council of state, of January 12, 1787, confirmed by the convention of 1792.

gating these subjects, we must refer them to the work, which, notwithstanding the loose and careless style in which much of it is written, we hope will be re-published in this country. The extensive collection of facts, here brought before the reader, is alone sufficient to entitle it to his attention.

The closing chapters are devoted, by Mr. Bulwer, to a summary of his preceding remarks, and to a review of the policy of the present administration. He speaks of the monarchy as it exists, and theorizes as to the government which would best accord with the habits of the people.

"The monarchy of the middle classes, such as it exists in France, though susceptible of great improvements, is not a government (for the people to whom it is given) that can wisely be repudiated or justly despised. It has achieved, and, if continued, will more perfectly perpetuate, that which legislation long deemed impracticable.

"I mean a constitution containing no privileged class; and yet, in which the monarch is not a cipher, and the people are not slaves.

"Such is the government at present; if called upon to state what it might be with more advantage, I should describe something, not wholly different, but which, giving greater solidity, perhaps majesty, to the throne, would give greater power to the people, greater independence and nationality to the chamber of peers.

"I should say, in short, that the best government for France, without starting forth in quest of any of those extraordinary changes which are to produce theoretical perfection, would be *a popular and splendid monarchy; supported here by a national army, there by a citizen guard; administered by a centralized administration, and having, for coadjutors, a chamber of peers, elected from the superiorities of the country, which would represent, as it were, its moral interests; and a chamber of deputies, elected by a large constituency, which would represent its national interests.*"

Such a government, our author argues, would be better consistent with the condition of the nation,—by uniting the habits which have descended from old France, to the opinions existing in the new,—by bringing the executive branch more within the control of the people, and thus changing their feelings of jealous distrust into those of confidence. Such a government, Mr. Bulwer predicts, will one day arrive, if the present dynasty be not violently overturned by some sudden convulsion.

We must now, with a few extracts, close our notice of "the Monarchy of the Middle Classes." Many chapters of interest we have passed by; the first volume we have not even touched. We have confined our attention to the leading idea of Mr. Bulwer, without diverging into those subjects which are but slightly subsidiary to his main purpose. The extracts which follow, afford a clear and deep insight into the character of the public mind in France.

"Let us see! There has been a conspiracy. Who are at the bar? a

cabinet maker, a certain number of shoemakers, a locksmith, a painter, a button-maker, an engraver, a shopkeeper, a doctor, and a lady, whose more peaceful occupation is to sit at the counter of a café. All eyes are of course turned upon the lady and the chief of this terrible band, whose plots have disquieted the dreams of the good citizen king, and exercised the arms of his valorous national guard.

"Come forth, most renowned Catiline! 'Who are you?' 'I am the son of a prolétaire, (peasant). I belong to that class which the rich repudiate and misunderstand. My temper is irritable and nervous; chafing at little obstacles,—calm before a battalion with fixed bayonets. I do not know so much as I should wish to know, for education is not gratuitous in France.

"'You ask me my life.—A boy, enlisting as volunteer, I fought under Napoleon's eagles. The restoration came, I returned to my father's cottage, and shared the rude labours of the old man. From that cottage, the revolution of July called me. The charter was violated; I wished for a republic. Wounded on the 28th, I leaped into the Louvre on the 29th. In the Tuileries, a sabre-cut maimed this hand. In the Rue de Rohan, a ball entered this shoulder. As I behaved in July, so I behaved in June.'

"*President.* 'You are accused at that time of homicide with pre-meditation.'

"*Republican.* 'I know it.'

"*President.* 'You ran about the streets, shouting—To arms!'

"*Republican.* 'Yes.'

"*President.* 'Did you distribute cartouches?'

"*Republican.* 'When they were wanted.'

"*President.* 'Did you not fire upon a battalion of the line?'

"*Republican.* 'I traversed with ten comrades the whole of the first line. Eight fell, and I retired by the street.'

"Such are the answers of a slight young man, with hollow cheeks, penetrating eyes, and black moustaches.

"He had fought for a republic. What did he want? A government without appointments, without taxes. Things, he thought, would go well, if left to themselves.

"Here is one of your 'Young France,' a type of that reckless and imaginative youth, ever ready to rush on the cannon.

"Born of poor parents, with but little education, of daring character, impracticable ideas and good intentions;—consumed by unemployed energies and dissatisfied ambition.

"Requiring action, from his temperament;—the very soul of a state at war—a canker into its repose in peace.

"Let us turn to another class and another type!

"'It happened to me,' says M. Janin, 'as it has happened to all men of letters, present and past—I entered a literary career without knowing it, and without wishing it. I was a writer in ignorance that I did write;—by necessity, as every body is.

"'Oh! I remember my mother, her cottage by the Rhône side, and the diligence which carried me to Paris, on a speculation; for my father, and my uncles, and all my family thought me a real prodigy, and so did the ladies of my village, to whom I wrote verses, and who said that all I wanted was—a little education.

"'Thus was I sent to the "*famous*" college—(for my friends were determined that every chance should be in my favour)—to the "*famous*" college—which had gained the prize that year, and which I and my friends considered it a matter of course that I should gain the year following.

“ ‘I passed three years at that college, did not gain the prize, and learned little for my pains; that is to say, I learned neither mathematics, nor languages, nor history, not indeed any kind of literary lore; but I learned something, I confess, of the world’s lore;—for I learned how one makes friends, and how one keeps them, and also with how little science, and how little merit, and how little industry, one may get on in life.

“ ‘This, after all, was no despicable kind of knowledge. My comrades had friends, and prospects dependent on friends. What, alas! has become of most of them?

“ ‘I had no expectations, no friends, beyond the walls of that memory-haunted place—no friends, save an old grand-aunt, eighty years old, who, hobbling along, the dear old creature! by the aid of her hooked stick, came, at last, to take me to her garret, *au quatrième*, to which she had brought all our old country furniture—the chairs, the table, and the little sofa and bed, the very same I knew so well;—and there we lived four happy years of my life:—Oh! what four happy years those were! How many passions given to the wind! how much useless poesy! what sighs wafted to the clouds! what labour too, to gain my little livelihood as I could!

“ ‘Those years passed by me like a day. I desired nothing, I feared nothing, I envied nothing. Living with my friends, having now and then with them a joyous and savoury repast, happy in the happiness of my old aunt, and sticking up against the wall, when I could buy them, great red and blue daubs, which I thought very beautiful, and which were called Greeks then, as they would be called Poles now.

“ ‘That was life!! and what heroines! with what names! Alexandrina, Rose, Lili,—German, Spanish, French,—great lady, or little grisette—all suited us.

“ ‘Thus I and those like me lived from day to day, trusting to chance; with little effort, no variety, and but slight privations.

“ ‘But I meant to speak of my entry into literature, how was it? Many volumes could be written on a literary life in France! I mean merely to write of my own. It is short, *but it will give a pretty good idea of the literary life of my epoch.*

“ ‘One evening, I remember it well, I was walking backwards and forwards before that theatre, which I then thought the perfection of the dramatic art, “l’Opéra Comique,” revolving in my mind, with no small degree of agitation, whether I would or would not give the 44 sous, that the Opéra Comique at that time exacted at its portal.

“ ‘At this critical moment, whom should I see but a young man, whose acquaintance I had made in the Luxembourg, by my dog making the acquaintance of his dog, and who had then, under his arm, the arm of an elegant and beautiful lady. What were my feelings when he proposed to me a place in his box, a place by the side of that elegant and beautiful lady, who was no less,—my heart thrilled,—than a singer at the opera!

“ ‘My friend was a journalist—his happiness decided my profession: I became a journalist too; and a journalist I shall die, because I was walking one beautiful summer’s evening before the door of the Opéra Comique.

“ ‘It is but the first step that makes us fear—in a balloon, on a railroad, as the editor of a paper;—there you are seated comfortably and calm; and there is the crowd below you, trembling and affrighted—*voilà tout!*

“ ‘Our age is the age of free thought, of independence—our age is the

age of the press—the golden age for the periodical writer. Happy then, and proud am I to belong to that press, to be a periodical writer.

“‘When I commenced, what existed in France had an immense appearance. It appeared a universe to a gay journalist of twenty. Well, it is all gone—all—vanished—gone, heaven knows where—gone, and devoured by the journal; that power so frail and dwarfish when I commenced my career, exposed as it was to the arbitrary will of a censor, who would cut you off a thought as an executioner does a head.

“‘By what ruins am I surrounded! What a gulf between the time when I first mended my pen to write, and now when I take it up to trace the recollection of things gone by!

“‘At first, I was a writer unknown, a writer of the opposition by epigram—harassing and attacking the ministers, of whom I knew little, and who knew less of me. Later, I rose from the little newspaper to the great newspaper—from the popular journal to the aristocratic journal, always the same man, in spite of what people have thought proper to say, always of the opposition, now here and now there.

“‘They who reproach me with having passed from one paper to another, cannot reproach me with having changed from one opinion to another; always attacking whatever I thought strong; the enemy of the powerful; never guided in my hostilities by my interest, and ever quitting that side which became the victorious one. This is why I left my little liberal journal of the opposition when it triumphed under M. Martignac; this is why I left my great royalist journal of opposition the day that M. Polignac came into power.

“‘Opposition has been my life as to others is the support of power.’

“Such is the most popular journalist’s description of his life and opinions.”

On the whole, the opinion at which we have arrived, from a view of this subject, is, that the present government of France is a good government, with, however, some inevitable defects; that it is a strong government, because it is founded upon the material interests of the people; that its permanency depends upon a wise administration of its affairs, and that the moment a weak ministry is placed at its head is the commencement of its danger. If the principles upon which the government is established are abandoned, or extended too far,—if the press is permitted to exercise unlimited freedom,—if the people, volatile and capricious as they are, be not confined by salutary restrictions, that moment will the fruits of the revolution wither and decay.

It was a great error when M. Lafitte went into power, after the days of July. The administration was weak, for the doctrinary system was unsuited to the agitation of the times. The idea of governing the French people through their reason, at such a period, was ridiculous. This became evident, and M. Lafitte resigned.

M. Casimir Perier was a man of talent and great energy of character. These were the only qualities by which his administration could have been sustained; for in more than one

respect it was neither wise nor politic. It was strong, however; and its force supplied the weakness of the system.

When M. Perier died, there was a deal of intriguing as to his successor. The policy of his administration was to be continued, and to that end the choice was directed. There were three nominees—M. Odillon Barrot, the Duc de Broglie, and M. Dupin. The Duc de Broglie was the only one of the three who would pursue the policy of M. Perier, and therefore the choice fell upon him.

But the Duc de Broglie was too doctrinal in his views—he laid a plan for his administration, and he adhered to his system, notwithstanding the occurrence of circumstances which sometimes render a departure from it advisable. In short, the Duc de Broglie, though a man of acknowledged ability, had not enough of that political generalship which would enable him to manœuvre through the various difficulties into which he was thrown.

There was one man in the kingdom who, more than any other, united the qualifications proper for the administration of the government. Himself the offspring of the revolution of 1830, with no prejudices which are not connected with it—thoroughly acquainted with the men of the epoch, their passions and inclinations—despising doctrinary rule, and squaring his measures as the circumstances of the times may direct, and not according to system, he understands—he has shown that he understands—the rocks and shoals, through which the vessel of state must pursue her dangerous voyage. Bold, quick-sighted and skilful—with his hand upon the helm, and his eye upon the landmarks—if there be a man in France who can pilot the good ship to the open sea, that man is M. Thiers.

“Yes,”—says Mr. Bulwer, two years ago—“you, M. Thiers, are the man of the present monarchy; and to you I address myself: *Nam quid ordinatione civilis! Quid libertate pretiosius? Porro quàm turpe si ordinatio, eversio; libertas, servitute mutetur! Accedit, quod tibi certamen est tecum; onerat questuræ tuæ fama.*”

And now—yes, at the moment we are writing—intelligence arrives from the French capital. The ministry has been changed, a new cabinet organized, and M. Thiers is president of the council, and minister of foreign affairs. That which should have been done before, has at last been accomplished, and a new pledge is given to the nation, that the government of France is still the government of the revolution.

That which a government most requires, in order to perpetuate itself, is to continue faithful to the principles on which it was established. In France, a violation of those principles, if of a flagrant nature, would produce a popular convulsion. If the rebellion were successful, the government would be

overturned—if not successful, then a despotism would be raised upon the ruins of a constitutional monarchy. “One man,” says Mr. Bulwer, “wished to be an emperor among emperors, and he fell; for he was naturally the popular chief among a people of soldiers. Another man wished to be an absolute monarch over a nation which had received him as its constitutional king, and he fell; for his charter was—his crown.”

The character of Louis Philippe, although not eminently great, in many respects qualifies him for the position which he occupies. Sagacious in the cabinet, he secures the respect of his ministers. Brave in the field—undaunted in the hour of danger, he commands the respect of the people.

That alone, which will stay the raging conflict between old habits and new opinions, we repeat, is time—and time will do this, unless some sudden shock shall convulse the government, and arrest the peaceful policy it is now pursuing. A gradual effort to improve the condition, and not a violent attempt to alter the character, of the people is the true system. “There is no foundation for our affairs in desperate courses. Public, as well as private life, has an usurious policy, which, to satisfy the emergencies of the instant, borrows too largely from the times that will come.

“Let all ministers beware of this policy! it saves for the moment, but it ruins in the end; and is equally unworthy of a people who love freedom, and of a monarchy which, with the aid of time and Providence, is well calculated to couple liberty with order.”

ART. VI.—*Constitution of the Trades' Union of the City and County of Philadelphia, with the By-Laws and names of Trades. Instituted March, 1834. Philadelphia, 1835.*

Each age reproduces the absurdities of its predecessors. Men go to the school of experience, (the only school, says Burke, at which they will learn any thing,) but their wisdom drops with them into the grave, and their sons never think of searching for it there. The lessons which posterity learns of the past are viewed as texts for new commentaries, in which scribes and scholiasts may suggest conjectural readings, and speculate in versions and parallels. If there were one single political truth on the earth which mankind (even civilized mankind) had agreed to place beyond the reach of disputation—if there

were an era or a character in history about which historians were unanimous, we would hail it, not as the foundation on which hope might rest, for hope has a mightier resting-place, but as the visible point of support for the lever, which must one day move the old world of folly and discontent. Philosophy must keep her eye on heaven, in order not to be sickened with the recklessness with which men disregard their acquisitions and their materials for happiness, and the restlessness with which they struggle for the distant and the possible. Laws, natural, social and divine, radiate on them from above, while they grovel after abstract rights and fancied privileges, like the miser in the allegory raking in the dung-heap, unmindful of the golden crown within his reach.

We do not deny that all the agitation and collision, the processes and the efforts of society, may produce out of violence and error both peace and light. We are bold assertors of the salutary progress of human affairs, as we are firm believers in it. It is the first and most consolatory result of our trust in an overruling Providence. We daily look to that principle with intense gratitude and earnest hope. We rejoice that we live where we do and when we do, because we are satisfied that as Americans, surrounded by the testimony of a rising world to the capacities and prosperity of human kind, we are better enabled to note and mark the advancement of our species than if our vision were obscured by the extremes and exaggerations of an old community. But we are not now considering the broad question of human destiny; we are arguing about the impediments and obstacles which lie in its path. We are looking less at the triumphal car than at the cost of the victory which the pageant announces. We are counting the wrecks that lie between us and the smiling scene on the other side of an intervening ocean—wrecks which owe their misfortune to the storm of human passion and the fatal confidence of human pilotage. Every new evidence of infirmity, every new form of error, (and error is Protean,) every successful appeal to the influence of falsehood, though it touches but the verge and margin of society, may in time change its form and aspect. Truth then retreats to her well—Faith ascends to heaven—Justice leaves her last foot-print in remote and primitive districts—*extrema terris vestigia facit*—and men begin, for the hundredth time, the old strife for repose, as if their political mythology demanded a periodical sacrifice for peace.

Not the least lamentable reflection to the philanthropist, is that which teaches him that the elevation of human condition is no sure guarantee for contentment. The great problem would be solved if, in increasing man's political rights and augment-

ing his physical comforts, he could be furnished with a right standard for the regulation of his desires. His condition would then be the index of a clear and glorious future. It would be impossible to impede his progress. We repel with all our energy the stagnant doctrine of some foreign politicians, that he is the happiest man who is driven by necessity, or who is apathetically content to follow his ancestors, in one mill-horse circle of labour and food, all his days; but we lament that when taken out of that circle, and placed in a higher and better sphere, he should uniformly leave behind him that contented mind which, if it had no aspirations, had at least few regrets. Ignorance is never bliss in a lofty view of the ends of creation, but there is a half-enlightened, half-matured wisdom, which knows too much and too little—too much for society, too little for its possessor. In such wisdom there is not only folly but danger.

Legislators are nonplussed by this anomaly in the moral man; they cannot count upon the selfish principle. Not content with plenty, he craves power. They guard his rights, build up a bulwark around his liberties, fence in his possessions, and enlighten his mind; and the first use he makes of his new acquisitions is to encroach upon those of his neighbours. He cannot comprehend the difference between social rights and political conventions. He levels them all only to find them grow up again according to a natural order, which stubbornly refuses to yield to the best theory in the universe. The first day of calm sees Industry beating his sword into a ploughshare, whose earliest furrow begins a new line of distinction and reproduces that everlasting separation of orders, which alone can sustain communities, whether monarchical or republican—the separation between the doers and the dreamers of life. It has ever been so. The moment that labour is looked upon as an unnatural condition, that moment its advantages are desired without its inconveniences. An envious glance is cast towards those who have inherited or acquired its rewards. Experiments are tried with the primeval curse. Alchymy peers into the crucible for gold, and wastes over it the health and strength that might have made the projector rich. Still toil accompanies and death terminates life. No jugglery can efface either branch of the sentence. Generation after generation learns this for itself, and writes it on marble, as the great lawgiver did his statutes, high up above the deluge, as a record for eternity; when anon comes a new sciolist, with a prism or a proverb, to enlighten or illustrate his era. The crowd gazes, wonders, believes; the bubble rises, floats and bursts; *plectuntur Achivi*—the people are the victims; and another chapter is added to the traditions of human credulity and suffering.

While men are thus lashed around the old circle, from fear to exertion, and from exertion to despondency, "goaded themselves when others do not goad," cheated by the designing while they are free, and awed by the powerful when they are slaves—their own worst enemies always—knowledge can execute but half her mission. "The brighter the light, the deeper the shadow," says the great German, and so it must ever be if obstacles are interposed between the source and the object of light. Perverted truth leads to the most dangerous errors. The human race has been compelled to rebel so long against injustice and force, that it is always on the watch for an enemy. Freedom and security do not satisfy it, (nor is it strange that they should not,) without an incessant invocation of new and extreme sanctions. We sincerely believe that during the reign of open violence, when every man was an Ishmael in the wilderness, the human mind was scarcely more pregnant with apprehension than it is at present. The dangerous spirits, the factious, the designing and the dark, know this well enough when they apply stimulants to a disease which requires a mild and soothing treatment. Like unfaithful menials, they conjure up imaginary ghosts to frighten unquiet children. They abuse terms, they pervert history, they dress up the effigies of old names, they decry knowledge and art, and pander to bad and unwholesome influences. They place the passions between the light of the laws and the public tranquillity. They are *agitators* by trade; men who, like the spies and informers of despotic governments, live upon denunciation and falsehood; and who style themselves, in the fever of revolution, like Camille Desmoulins, *attorneys-general of the lamp-post*. The worst enemies of popular *rights* are the professional trumpeters of popular *privileges*. In a government of laws there can be no privileges, save such as those laws confer, and they in receiving legal sanction become rights. Neither have the people reserved any power; they have merged it in the laws—they have even prescribed the very method whereby it should be resumed if necessary. Power resides in the representatives of authority. There is more *power* (in the proper acceptation of the term,) in a constable's staff, than in the whole physical strength of the United States. That body without a soul, that *rudis indigestaque moles*, is capable of nothing, save the exercise of brute force. The moment it is up and in action in any other than the prescribed form, that moment it ceases to be the object of any man's allegiance, of any man's trust. It becomes a shadow on a cloud—"one thunder-word," one moral convulsion, one elemental struggle may sweep it quite away.

Have we been dealing in abstractions? If we have, abstrac-

tions are the experimental tests of morals. It is well, moreover, sometimes to set them forth, like points of light on a dark path, were it but to stand at gaze at them, like Claudian's Fauns "wondering at the stars." But we are now bent upon the more serious business of their application. Our own country, albeit we abate no jot of heart or hope in her progress and destinies, has problems enough for philosophy and patriotism. It is impossible not to see in the recent fermentation of American society something more remote and deeper seated than the operation of mere physical causes. The progress of power, the profligacy of party, the rude license of pen and tongue, before which nothing has remained sacred, and the diligent appeals to caste, (that odious old cry of poor against rich which demagogues have ever found so potent a destroyer of happiness,) are producing their certain effects. Studied or not, there has been in our recent history a successful array of passion against experience, a powerful and overwhelming combination of exciting influences against national repose and individual contentment. Let those who have aroused that passion and invoked those influences look to it, lest they are found in that class of pseudo-magicians who, like the servant in Apuleius, know but one half the secret; who can brutify and disguise humanity, but who are without the potential charm to redeem it. Their paper laws will be scattered to the winds, if men find, as they have lately seemed to imagine, that they may be violated at the dictates of caprice or convenience. Opinion, even where a material force exists to back it, is the soul of civilization and order; how much more so when it stands alone, the guardian as well as the creator of the laws. Break down the ideal majesty, the uncrowned, unsceptred, but mystic and awful royalty of that opinion, and the only choice left is between anarchy and the bayonet. Corrupt it, and you substitute an irregular, fluctuating will, for the rule of reason and right. Degrade it, and a thousand pretenders will rise in its place, each more fantastic and more shadowy than its predecessor. Midnight alarms, dwellings rifled, and citizens driven into exile or gibbeted in the market place, are wretched yet obvious results of this corruption and degradation of opinion; of an upstart and bastard authority which ventures to sit in judgment on the laws themselves, and dares to usurp functions and defy forms which lie at the very foundation of individual security, and the tranquillity of the republic. It is the Jacobinism of the press and the rostrum, carried out into practice. If men will sow dragons' teeth, they must expect the crop of Cadmus, without his good fortune. Sowing salt is not much better. No society can live in a perpetual fever. "Function is smothered in surmise" by incessant agitation, and the public

mind fretted into delirium by appeals from legislation and decision to extraordinary and revolutionary remedies. The laws which ought to recognise no power between their functionaries and their objects, are paralysed by the din and turmoil with which they are surrounded, and they are subverted, or at least turned aside, by the intervention of illegitimate influences. Public men legislate and live in America in the arena, where they are exposed not merely to the swords of their fellow gladiators, but to the fang and the claw of more obscure antagonists. *Nigro bellua nil negat magistro*. The pack fastens at the signal of the huntsman. Fame goes for nothing, honour for nothing, the sufferings and services of a long life for nothing. An exalted intellect is too high by the head. Are not all men equal? Why not bring it, in the slang of coparcenary, into *hotchpot*? It is aristocratical to know too much, as it is to have too much. This is the mere old ostracism of greatness and virtue—the same which banished Aristides and poisoned Socrates. With us it may not kill, but it may make life not worth the keeping.

The rewards of public service—honest and honourable service—ought to lie elsewhere than in a man's own bosom. A good conscience is a good defence, but the state is not to be thanked for it; that brazen wall is not built at the public charge. We may talk of living down calumny, but who wants such a foul fiend dogging his heels through the whole summer of his existence? The statesman who in a past age went from the cabinet to the scaffold, at least walked through a court of justice on his way, and the next generation raised a monument to his memory—happier in that than he who, in our times, meets no responsible accuser and awaits not even tardy and posthumous renown. Martyrdom has always had its charms. It is a great ennobler. But that war which cuts away reputation by piecemeal, and fights with the file instead of the sword, leaves its adversary nothing with which to combat while he is on the stage—nothing to hope for when he quits it. We deprecate, in every view, the spirit of unfairness, of misrepresentation, of low imputation, which pervades our American politics. The limits between truth and falsehood are utterly confounded and obliterated by it. It respects no standard of judgment; it yields to no weight of evidence; it stops at no aggravation of injustice. It is terrorism aided by the press instead of the guillotine, accompanied by political proscription and followed by the extremes of distrust or adulation. The next and sure consequence, if the mischief is not abated, will be practical terrorism. Flash and Squib have already begun to write letters, intimating that houses may be burned and that legislators are mortal. *Sejanus ducitur*

unco; the idol of a year ago has already had the rope around the neck of his straw representative—Cæsar and Brutus have become apt parallels.

Shall we be told that all this is mere harmless effervescence—the work of a few of those unquiet spirits whose passion has in every age and state outrun their judgment? We are sorry to believe that the evil is more diffused and more alarming. It lies in a disposition to bring every act and every character to the immediate test of popular judgment; in a real repeal of the representative system;—legislation by a show of hands in the Agora, or the tribunitia *veto* on the Mons Sacer. Muskets have been the usual instruments of dictation to representative pertinacity. Cromwell and Bonaparte found out their efficacy; but clubs are equally serviceable to enforce attention or punish disobedience. Our legislators are fast descending into clerks, with their *amen* written down for them. Pledges beforehand and instructions after, will soon leave them the choice of parrots between the favourite phrases of a present or a recent master—a glorious alternative between *nunc* and *nuper*. Senatorial service is becoming coeval with that of the bodies it represents. The majority shifts with the weathercock, and six years dwindle into one. Fortune plays her game with the conscript fathers of the republic, adroitly juggling them in and out with a shake of her wings;

“Ludum insolentem ludere pertinax,
Transmutat incertos honores,
Nunc mihi, nunc alii benigna.”

What is the object of a deposit of power if it is to be thus instantly resumed? Why is the grave farce of election periodically acted to be made of none avail? Is it not apparent to the dimmest vision that there can be neither stability nor strength where the plain provisions of the fundamental law are thus evaded for selfish and temporary purposes? If the people so please let them abrogate their constitution, and boldly and manfully make another with all manner of provisions for popular protection. If any branch of the government is too strong or too long-lived, they have a mode of shearing its locks, and of curtailing its existence. But this sapping and mining, these side winds which blow in gusts and flaws, this continual dropping which, by little and little, wears away the corner-stone of their edifice, are all mischievous and miserable alternatives. Plain men are mystified by jargon until they lose all confidence in the catechism of their political rights. They are taught to believe that they are cheated by every exercise of function which does not emanate from their own express

and immediate dictation. Like honest Nick Bottom, they must play all the parts. So be it, if so it must be. But let us have no more pretence about the matter. Let the people know honestly and fairly what they are to do. Their constitution is half a century old. The French had half a dozen in one-tenth of that period, running through every variety of pyramid and column, with checks, counter-checks and balances; classes, colleges, synods and senates, fresh minted for each new holiday. If Americans are for similar experiments, like good republicans, we go with them—nay, we will put in at the grand receiving-shop with our model, founded on no silly practical compromise, like our once glorious, now (always under favour of the conditional *if*) obsolete old charter, but redolent of abstract rights and beautiful theories of the social compact, or of some antecedent antediluvian era,

“ Ere the base laws of servitude began,
When wild in woods the noble savage ran.”

Yet are we, after all, for the established order of things, because *it is order*. Possibly a change may make it better; probably it will make it worse. We are for the constitution of 1787, without the commentary of 1798, or any other gloss or scholium whensoever concocted, save, it may be, that contemporary one, which, as it preceded the refinements and inventions of modern party, and as its authors were subsequently sundered by political division, claims, as it has received, uniform respect. We are for a president for four years, a senate for six years, a house of representatives for two years, a judiciary *dum bene se gesserit*, if for no better reason, at least for this, that so runs the compact under which most of us have been born. We go with Publicola rather than with Pericles. We are opposed to a whispering-gallery by which every popular breath may be conveyed to the capitol—there is always a slave at one end of such a contrivance and a tyrant at the other. We are opposed to all manner of devices and machinery for bringing a great and variable influence from the polls, where it has established its just and legitimate dominion, into the senate house, where, by the constitution, it has neither seat nor voice. If it can come properly there, the speaker's hammer and the wand of the sergeant-at-arms are gross violations of the rights of the galleries. The banks of the Tiber are cheated of their echoes—lawful tributes, as the case may be, to patriotism or apostacy. Once enter on this career (is it not already entered on?) and where are we to stop? Threaten the timid, instruct the scrupulous, defame the bold, and legislators here at home will become in time as very machines as

the members of the national assembly surrounded by six thousand dictators in their hall at Versailles. We cast no imputation upon those who carry their notions of constituent rights to this extreme, but we beg them to reflect upon the tendency of their doctrines, and to ask themselves in what principle they differ from the advocates of a simple democracy. If they can show a distinction we shall be happy to see and welcome it—if they admit the resemblance, we will venture to tell them that such is not the form of government to which any citizen of the United States has vowed allegiance. We “have an oath in heaven” of a different description, and we will not be mansworn. Much as we may defer to their opinions, we cannot espouse them. They are too radical for the institutions under which we live. They may be Athenian, (and that is not a name to be ashamed of,) but they are not American.

Revolution does not always consist in drums and trumpets—the fortress that has withstood a siege has been undermined by the waters of its own ditch. A sack or a bow-string, a pliant minister or a corrupt jury, have done as much for prerogative as Janissaries or Prætorians. Man’s innate love of power eats silently like a mildew into the paper bulwarks which in a moment of magnanimity or prostration he may have set up against it. The self-imposed restraint to which he submits, resembles that of stage-captives—the chains are fastened on with straps. We are by nature revolutionary; first (for when history discovered our species it was in subjection at least, if not in slavery) towards freedom; then back again towards its opposite. The former tendency is the result of instinct, of hope and of moral knowledge; the latter of despondency—we had almost said, of despair. It is a vibration between the aspirations and the experience of humanity. The problem is, as indeed it is in most other cases, political or moral, to rest at the middle point—the point of safety and repose. Past ages have carried the pendulum so far to the side of experience that we may well fear the wide sweep of its return towards the region of hope and trial. If it does not swing too far, it may rise too rapidly. To what extent we can trust ourselves beyond the gravitating point is not now the question. We seem to have no suspicion that we can become giddy under any circumstances, but may we not go too fast? “In all free nations,” said the Drapier, more than a hundred years ago, “I take the definition of law to be, ‘the will of the majority of those who have the property in land.’” That maxim was superseded by the Draconic code of the French revolution, for even in America nobody thought of disputing it until the events of that struggle in a few short years obliterated half the old axioms of politics. The principle, however, is repealed, (it

matters not how or when,) so far as America is concerned,* and on most philosophic grounds. It would be absurd, where the developement of the national energies and the support of the national character owe to commerce, manufactures and the application of mechanical labour, as much as to agriculture, that the possessor of a few acres of mountain or moor—of “forty pounds a year” in corn or cabbages, should be the exclusive law-maker. Dry goods, a lap-stone, or a ship-carpenter’s hammer, are as legitimate parents of the franchise as Gonzalo’s “long heath or brown furze.” But we stop there, and stand on our reserved rights. If property in land is not a qualification, neither is property of any sort, nor that mother of property and influence in a free republic, educated intellect, to be a disqualification. We recognize no *privilege of poverty*,—we would as soon submit to the privilege of peerage.

When a war against property unites the majority of the physical and moral force of a country, it is generally a war against abuses too—it is revolution. Such it was in France, and we are not prepared to say that in the outset, while motives were pure, many an honest patriot might not well have contemplated a division of property as an inevitable precursor of reform. It was indeed a wretched alternative most wretchedly settled. But here a war against property would be what a great statesman calls “Jacobinism by establishment;” a mere strife for gain without even the excuse of a pretended virtue; a mad agrarianism ending in its own suicide; a bloody and circuitous hunt after that which lies at every man’s door. Yet have the inflammatory harangues and paragraphs of some designers with purposes to answer, and some dupes with no purposes at all—mere echoes from the mountains—half excited it. Every popular mutiny against the laws, we care not if it takes the shape of a mob in the streets, or the more peaceful guise of a private society, the moment it invades the right of the capitalist to enjoy his means, or the right of the operative to gain a livelihood, makes war upon property. It matters little whether banded men rebel at once with arms in their hands; or whether they form a conspiracy to effect illegal purposes in silence. The tendency and end of their measures are the same. Perhaps the latter method is the more dangerous one, inasmuch as the order of society is undermined, and its life corrupted, before the evil is felt. Open and furious riot enlists only the very daring and the very desperate, and soon spends itself by its own violence; but a combination proceeding under specious forms, with regulated action, for a definite and alluring end, appeals

* Under the charter of Charles II. to Rhode Island, the freehold qualification is still requisite.

strongly and successfully to the selfish principle, and completely disguises the counteracting penalty. The existence of an organized body of malecontents, (not professing to act on the principles of a political minority,) in a country where station is not affected by any distinction of rank or privilege, and where every citizen's destiny is in his own hands, is indeed a gross solecism. From the nature of its constitution (we speak politically and not with reference to particular legal provisions) its objects must be incompatible with the general welfare; for when any class of society forsakes the open track, disregards the very principles under which it claims to live, and which its members, or those possessing common interests with them have established, and seeks for remedies which those principles cannot sanction, the safety and rights of every other class are endangered, and the compact of society broken up. A league in defence of the law is the necessary counterpart of the conspiracy against it. The result, however modified, or by whatever name it may be called, is a state of war; not necessarily a war of guns and swords, (though it comes to that at last,) but a war of opinion, a war of sentiment, a war of strenuous and agitating effort, a war of bad passions and irritated feeling, a war of desire against possession; the old war, as we said at the beginning, against the security of property and the stability of those provisions by which alone property can be protected.

Are there no indications of the existence or probable commencement of such a state of things here at home? What import the signals of attack upon obnoxious corporations; the threatened repeal of charters; the bold agrarian doctrines of certain societies, exultingly avowed by their practical expounders during the sack of Baltimore? The *vultus instantis tyranni*,* has an eye for plunder as well as for revenge. What imports the institution whose name may be found at the head of this paper, and which exists but as the branch of a wide-spread combination designed to promote its own interests (for that is the plain English of the case) at the expense of those of the community? It matters not, as a political symptom, that it proceeds upon an utter fallacy which it claims in all sincerity to take for granted. Ignorance or mistake may sometimes extenuate wrong, though even those excuses are no justification for breach of law. We will consider that part of the matter hereafter. Even admitting the truth of the postulate it is applied to an unjustifiable end, which it is proposed by the society to attain by wrong means. Of so much the members of the society are not ignorant. They know that they interfere with

* "That worst of tyrants, an usurping crowd."

Pope's Iliad, ii. 242.

other men's rights, and that they do so by a system of proscription, terror, and espionage. But we do not admit its truth. It is a plain absurdity to suppose that legal measures could result in such an end, or that honest ends can require such measures. They are therefore bound to know that their fundamental principle is unsound and fallacious; that they have no wrongs to redress, and are suffering under no denial of right. They ought to judge the tree by its fruit, the fountain by its waters, the influence by its consequence. The doctrine is untenable which can only be upheld by breaking down the law. When the pursuits and progress of society are disturbed or arrested, we are apt to suspect the presence of a malign influence. Labour stood still when Pluto broke out of hell:

“Turbatur Lipare, stupuit fornace relictæ
Mulciber, et trepidus dejecit fulmina Cyclops.”

We cannot consent to regard the existence and proceedings of the Trades' Union, as unimportant indications. Not that we fear immediate danger from a combination comparatively so insignificant, but we dread the tendency of measures which accustom the minds of any class of citizens to look away from the laws for redress or protection, as we regret the dissemination of doctrines inculcating the irregular exercise of popular authority. There is a fanaticism in politics as in religion, the more dangerous from the legitimacy of its origin, under the influence of which the judgment is distorted, and desire metamorphoses aspirations into rights. The fly in the fable perched on the pole of the carriage, would fain direct its speed and motions, forgetting the existence of the legitimate conductor behind him, or the disparity of physical force before—the moral and material powers to be contended with and overcome. What are the grievances of which the society in question complain? If of breaches of the law, the law will redress them. Every wrong has its remedy. If of the relations which subsist between the different branches of society, these are no grievances, unless error is to be imputed to the All-wise. Until He changes the powers and passions of men, and introduces equality into their intellectual and moral nature, their relative social condition cannot be altered. The hardest lesson to be learned under a government founded upon equality of political rights, is that human condition can no more be equalized, than the faculties or forces of different individuals. That everlasting rule of society always triumphs over artificial restrictions, as the ceaseless tides of the ocean roll in to their appointed place at last, though checked for a season or a century by mounds of earth or walls of stone. All men feel this well enough in prac-

tice, if not theoretically, but they are not willing to admit its consequence. They attribute it to every cause but the true one. They legislate upon it, theorize about it, lose themselves in the mazes of the original compact, study and speculate according to their opportunities, and seldom end without some fresh experiment for altering the economy of Providence. They might just as well regulate the stature of their fellow citizens on the Procrustean model, and cure inequalities by cutting off heads.

Let us look for an instant at the "preamble" to the constitution of the Trades' Union of the city and county of Philadelphia—*ex uno omnes*. It commences (somewhat ambitiously) as follows :

Major. "When we consider that all men are endowed by the Ruler of the Universe with the same natural rights, and are fitted to enjoy the same privileges, and the same blessings ;—when we know also that these are guarantied to us by our constitution, and by the glorious declaration which our fathers made when they wrested from their oppressors at the sacrifice of life and fortune, their invaluable birth-rights, civil and religious independence ;

Minor. And when we see those rights daily invaded, and feel that they are rapidly withering in the unrelenting grasp of usurping power ; and knowing also that as the past has lived for us, so we must live for the future ;

Conclusion. It becomes our sacred and imperious duty to come boldly forward to the rescue, and, at every peril and by every means to cherish and protect those immunities, which belong not only to ourselves but to succeeding generations."

Now we deny every important postulate and inference in this preamble, which we have divided, for convenience, into the members of a syllogism, and we say that the doctrines contained in it have a direct tendency to uproot society, and are totally irreconcilable with its order and laws. In the first place the *natural rights* with which "all men are endowed by the Ruler of the Universe," are the rights of the savage, and consist in the absolute power of unrestrained action and the unfettered freedom of individual will. These rights are not "guarantied to us by our constitution and by the glorious declaration" of our forefathers. Our forefathers were not madmen. On the contrary, the rights in question were surrendered the moment man entered into society, and their surrender was the consideration of the protection which society has ever since derived from law, and our society from the very constitution invoked in this preamble. The declaration of independence enumerates "certain unalienable rights, among which are life, liberty, and the pursuit of happiness." But the unqualified assertion of these rights in that instrument was an act of revolution, and the proposition is only intelligible in that connection. Na-

tural rights can only be set up when social rights are invaded, and men are ready for civil war. In ordinary times, society every day declares them forfeited to its exigencies and demands. They are held subject to its laws. A defendant at the sessions would find his natural right of liberty and the pursuit of happiness a poor plea in bar. The "declarations of right" in our constitutions, are abstract recognitions of the right of revolution placed there as barriers between government and people, not as weapons of offence for the use of one class of society against another. They are useless. Every man's instinct tells him all he can learn from them.

If, then, the 'Trades' Union have no natural rights except such as exist beyond the pale of society, and are only to be resumed on a renunciation of their claims on the community, and a reciprocal release to them on the part of that community, (for be it remembered the contract has two parties,) then one of two things is apparent, either that the assertion in the minor proposition of their preamble is untrue, viz. that "those rights are withering in the unrelenting grasp of usurping power," since that "power," whatever the indefinite term may mean, results from a legitimate source, and is directed to a legitimate end; or else, that they are in a state of revolution, the necessary and justifiable consequence of obvious, palpable and extreme oppression. As they do not assert the latter to be the case, and as they have not shown and cannot show facts which will enable them to assert it successfully, the conclusion to which they come in their preamble, that it is their "sacred and imperative duty to come boldly forward to the rescue, and *at every peril and by every means*, (revolutionary or otherwise, for there is no exception,) to protect those immunities, (immunities not threatened or infringed, since they have been long ago surrendered,) which belong not only to themselves, but to succeeding generations," is a false conclusion which, if carried out into practice, will subject them to great hazard and difficulty, and which the instinct of self-preservation binds society energetically and effectually to repel.

Were these reprehensible doctrines mere abstract notions, propagated by the Laputans of some flying island, we should not take the trouble to refute them. But they are the fundamental dogmas of a wide-spread combination, which claims to act under them and to promote them "at every peril and by every means." They are rank political heresies, aptly and necessarily followed in the preamble by a delusive economical proposition, and in practice by measures hostile to the very freedom they profess to defend.

"It is an incontrovertible truth," continues the preamble, "that those who do not labour to produce are supported by those who do; and it is

therefore obvious that those who are thus supported will and do, through the impulse of self-interest, endeavour, by every possible means, to decrease the just demands of the manufacturer or producer."

Without stopping here to enquire what class it is in America which does not labour to produce, let us reverse the proposition of the 'Trades' Union—perhaps it will be difficult to discover "which is the justice and which is the thief." A capitalist might put it thus :

"It is an incontrovertible truth, that those who do labour to produce are supported by those who do not; and it is therefore obvious that those who are thus supported, will and do, through the impulse of self-interest, endeavour, by every possible means, to increase the unjust demands of the manufacturer or producer."

But this is on both sides a mere jingle of words, without any possibility of practical application. A combination of persons may, for a period, throw the community into confusion, and the combinations in question have done so, and in many instances they have nominally accomplished their object in an appreciation of prices and a diminution of the period of labour, but they *ipso facto* drive the remainder of society into a counter-combination, which neutralizes the anticipated effect. The instant the capitalist finds his tradesmen's bills increased ten per cent. he adds ten per cent. to his rents, the pedlar does the same thing with his pots and pans, the farmer with his mutton and turnips, and the 'Trades' Union is just where it was. The members of that body thought to avoid this result by claiming, in the first instance, to diminish the hours of labour instead of raising wages. It was a stupid notion in them to suppose that they could pay for a week's food with five days' labour, and live as well as they did before. They had a perfect right to have two holidays in a week instead of one, (the authorities of Philadelphia were censured, as we think unjustly, for yielding to the demand,) but they were short-sighted not to perceive that it was a privilege which others would insist on enjoying with them. The farmer would only give his five days for their five. The master mechanic made up his loss out of the consumer—the consumer in turn came back upon the journeyman. Struggle as they would, they could not claim the protection of the magic circle without remaining in it. An advance upon poultry was just as surely the result of an advance upon shoes as the latter was of an abridgment of labour. Nobody would give twelve for ten. That era in the history of barter has not yet come, and we doubt if the 'Trades' Union will live to see it. Thus far the result of their schemes to society was a certain degree of confusion and embarrassment—to themselves diminished employment and

increased expenses. The next step was the demand of an advance of wages on the plea of a depreciated currency, which depreciated currency is nothing more than another name for an advance in prices, caused by an endeavour to force the community to pay as much for five sixths of the mechanical labour of the country as they formerly paid for the whole. This is the power which the members of the Trades' Union contend is "guarantied to them by our constitution and by the glorious declaration which our fathers made," and which they consider it their "sacred and imperious duty to enforce at every peril and by every means." It is somewhat inconsistent, it is true, with our old notions of equal rights; but we are getting accustomed to new and strange constructions. In time we shall no doubt become learned in privilege and prerogative, and as humble citizens labouring to live, lay up, not our tithe, but our sixth, or if the Trades' Union require it, the half of our earnings, proud and happy to place it at the disposal of those who labour so hard to—"produce." We shall listen reverently in the public squares to Scotch harangues upon the rights of American tradesmen, or perhaps walk at humble distance in sight of some procession, headed by a Manchester philanthropist whose "fire-new stamp" of citizenship lacks yet four years and eleven months of the clerk's sign-manual, and whose compatriot myrmidons lour with indignation upon the unlucky native who in spite of inquisition and denunciation dares to interpose a day's work at an unauthorized price, between his children and starvation.

As at present advised, however, we protest against the introduction of such foreign commodities as Trades' Unions into the United States. They should be absolutely contraband, and the penalty of smuggling attached to their importation. They are the production of other soils, and are fostered under other influences. We have heard of countries in which "natural rights" seem all that existing institutions have left to the unfortunate victims of over-supply and a fluctuating market,—where manufacturing man vibrates, from his crib to his coffin, between oatmeal salted and oatmeal saltless—where political economists reckon him in the same category with a spinning-jenny, and ministers view him only with an eye to the poor-rates or the estimates for the home service. His straw, his rags, and his porridge, are computed to "the tenth part of a hair." Such a man's right of rebellion can be contravened by no law save that of the strongest. He is an outlaw with the *caput lupinum*, gaunt and grisly, on his shoulders. The society in which he lives has found or made him a sacrifice to the pride and ambition of its rulers; to the grasping spirit of conquest and the vain magnificence of the crown and the

hierarchy. Why should he endure it through a life of slavery, like the Elæan misanthrope, feeding upon his own vitals? Penury and despair are not bound to ask questions of casuistry.

But what has all this oppression or the remedy for it to do with America? The very person above alluded to, if chance or charity give him ferriage across the Atlantic, ascends almost at once from his servitude and squalor to the freedom of the republic and the rights of a citizen. His iron chain is broken, and centuries in this limitless and productive country cannot replace it. He is the adopted child of the laws—let him forget his old grievances and unlearn his old remedies. We did not inflict the one—we will not tolerate the other. If he, and those who have imbibed his doctrines, may combine for one illegal purpose, they may do so for another; if they may regulate the price of labour, they may enact a sumptuary law.; if they may dictate opinions they may interfere with practice. At present they are content to place their mark upon a refractory workman or an independent employer—to dog the steps of the one, or plant a sentry at the door of the other. Anon will appear more potent sanctions and more effective penalties. *Nous ne sommes encore qu'au premier pas.* The price of disobedience may be blood as well as money. No free man, with a just sense of his own rights, will long submit to a conclave whose decrees are founded on denunciation and secret accusation—no community can tolerate such a society in its bosom. It is not only anti-republican but anti-social.

There is neither hope nor security for a popular government if the sovereignty of the laws be not enforced. It is possible for a time, in a monarchy, to keep society together by means of motives derived from fear or favour, notwithstanding an apparent infraction of compact or enactment. Disorder has no such remedy in a republic, because the impulse is all in one direction. There the recorded expression of the general will should never be allowed, for an instant, to bend before partial influences or local passions; or if inevitably it yields for a time, its first employment should be, on gathering up its energies, to execute its penalties. Else it is a contemptible effigy, no matter how terribly it affects to frown in brass or parchment. The sooner the issue between law and license is made up and settled, the better for all parties and on all accounts, because the sooner will men know how to provide against future contingencies, or to submit to absolute and overwhelming necessity. If we are to be exposed to the inroads of unprincipled radicalism, the earlier the orderly begin to bury their possessions and fortify their homes, the more harmless will be the struggle. If, on the contrary, as we glory in believing, there is a principle of cohesion in modern society (the clear and great result of much experience, many sacrifices,

and advancing knowledge,) which will preserve us from the dominion of "the sensual and the dark," the selfish and the ignorant, then for the sake of those whom their designs may mislead, we also pray that the contest to be short may be soon. "The cankers of a calm world and a long peace," are but beginning to infest us—idleness and discontent, the satellites of political agitation, are yet seen only in the distance—the balance and the bandage are still in their places, and Justice has another implement, should an effort be necessary to keep them there. It is better in her hands than in those to which she has been sometimes forced to resign it in the turmoil of civil commotion ;

—————"Gladii cum triste minantes
Judicium insolita trepidum cinxere corona."

The great warrant for the security of American institutions, must ever be found in the inviolability of property. The day has gone by when life or liberty were in peril from perverted law or arbitrary will. There is a *habeas corpus* even now around almost every sceptre in Christendom. The hereditary hangman rejoices in a holiday. Here at home we have happily never felt the want of the one, or the presence of the other. The progress of civilization and knowledge has made it impossible that we ever can. But it is not to special enactments, the mere ink and paper of the statute-book, that we look for the protection of private possessions ; with only such guarantees they would be respected but until the moment when some stirring appeal or temporary emergency made it expedient to invade them—needful or not, the first storm would produce a jettison. But property here is sacred, because it is the interest of the many that it should be so ; every man has a stake in the hedge. He is rich in *posse* if not in *esse*. His very social position makes him a conservative. If he has not large possessions to guard, he has the capacity of accumulation in a country where a pair of hands are the basis of many a fortune. Appeals therefore to the poor against the rich are absolutely ridiculous in the United States. A few loose and disorderly spirits in the large towns are all that can be influenced by them. An industrious man will carve out a competency for himself, sooner than an agrarian society can cut up and divide a county, particularly if the surveyor's stakes are to be bayonets. Let those therefore who would attempt to excite a war upon property remember what they have to oppose, and that it is not only the wealth of the rich, but the energy of the enterprising, and the activity of the industrious, that they must meet and overcome—not merely the ostensible array of the community, but the *landwehre*, the potentialities which lie behind it ; those men whose labour places a roof over their heads, a chicken in their pot, and yearly

adds a field to their farm. Such persons have no time to speculate on "natural rights" and no inclination to appeal to natural law. Society encourages and protects them, they therefore have no quarrel with society. Oppressed they feel they are not, for they govern themselves. Degraded they know they are not, for they are men and citizens, *pares inter pares*. Their liberty is absolute, provided they respect private rights and the public peace. They owe nothing to clemency, nothing to magnanimity, nothing to generosity, for justice and law know no such attributes. They may be deceived for a time, but they cannot be drawn or driven into long-continued or excessive wrong. Their moral instincts are not deadened by brutifying tasks, or their cupidity quickened by the sight of luxury they can never reach. They look forward towards hope, instead of backwards on despair. Their inheritance is not a life of toil and a pauper's obsequies, but the fruits of industry protected by freedom; competence on the one side and contentment on the other.

"Hanc olim veteres vitam coluere Sabini:
Hanc Remus et frater: sic fortis Etruria crevit:
Scilicet et rerum facta est pulcherrima Roma,
Septemque una sibi muro circumdedit arces."

What have such men in such a country to do with revolution, or the cant of political mountebanks, who would insensibly lead them to it? Thank heaven, the majority, the large and overwhelming majority of our countrymen, practically understand as well as we can tell them, that their hopes and those of their children are only secure, so long as they retain THE RIGHT FREELY TO ACQUIRE AND UNINTERRUPTEDLY TO ENJOY PROPERTY.

ART. VII.—*Rienzi, The Last of the Tribunes.* By the author of "*Eugene Aram*," "*Last Days of Pompeii*," &c. Philada. 1836.

Novels, in these days of book-making and book-reading, have become a very important branch of literature. In the hands of genius they are the convenient vehicles for every variety of thought and speculation. Like plays, they are pictures of human action under the influence of different motives and passions; but their form admits of greater variety, of fuller expression, and of more general application. Their delineations are more graphic and complete. In the drama we have only the dialogue—the characters speak,—we read their language and must imagine the rest. In the novel we have not only the dialogue, but a vivid description of faces and forms, of manners,

costume, and scenery. The drama resembles the naked statue,—simple, beautiful, and white; the novel, the breathing canvass, on which we behold the scene with all its accompaniments;—the wide landscape—the expressive group—the characteristic dress—the glowing colours.

It is much easier to write a successful novel than a good play. To produce the latter, requires the greatest effort of the highest powers of the human mind. It is a proof of creative genius of the noblest order, for the persons of the drama reveal themselves to us as individuals do, by what they say and what they perform. The characters must first be conceived, and the conception must be explained and made apparent, not by description, but by throwing the ideal being into the world, placing him in relation to others, and making him and them speak and act in harmony with the qualities which they are supposed to possess, and in accordance with the truth of nature. Thus to form imaginary creatures, in which the elements of humanity shall be mingled in just proportion, without incongruity, and without deficiency; to arrange their relations and their mode of acting each on the other, and simply by means of the dialogue, in a few pages, which may be read in an hour, to develop a whole world of passion, thought, feeling, and character, is a triumph of genius which has indeed been rarely achieved, but which, when achieved, commands the homage and influences the minds of men for ever.

The great object of the novelist should be the delineation of character, and human passions and motives, as influenced by circumstances and the various relations of life. In producing this, the more nearly he approaches the dramatic form, the greater will be the truth and force of his picture. In addition, he has a wide field in which to expatiate. The diversified modes of human existence are before him. He may describe the beauties of nature, the triumphs of art, and the energy of action, with all its imposing accompaniments, and in all its varied scenes. He may describe faces and forms, costume and manners, and indulge all the impulses of his imagination in the creation of ideal beauty. As the science of morals is the science of human action, with its motives and results, the incidents and characters of the story afford him, also, constant opportunities for philosophic speculation, and he may naturally and appropriately mingle with the exciting narrative, abstract truth and profound reflection; he may enforce the lesson which the events he describes are calculated to convey; explain the cause whilst he displays the effect, and combine the precepts of wisdom and the dictates of experience with the brilliant illustrations of poetry and the glowing language of passion.

Whilst the highest merit of the novel consists in the just

conception and full developement of character, by means of the language and actions of the persons represented, and requires the exercise of creative genius of the best order, its convenient form, admitting, as it does, of such a variety of effort, and embracing so many topics, has rendered it, of late years, a favourite instrument for the expression of opinion on every subject connected with moral science, and for the description of the manners and exterior of every class of society, not only of the present time, but of the past. We have had political, religious, historical, and fashionable novels. Tales of the East and of the West,—of high life and of low life,—of soldiers, of banditti, and of sailors. Every clime and every age has been ransacked to afford materials for description, and sources of interest.

At a time when books have been multiplied to excess, and mental as well as physical luxury carried to extremes, the love of excitement and the necessity for it have become remarkable characteristics of the public mind. Abstract reasoning, sober investigation and profound thought, will not now please the blunted appetites of the mass of readers, who have been long accustomed to more exciting food. To render them attractive, they must be seasoned by the *sauce piquante* of a tale of passion, romantic adventure, and poetic sentiment. The object of most writers is to be read by as great a number of persons as possible, and the agreeable form of the novel, rendered still more popular by the admirable works of Scott, has been in many cases adopted for other purposes than the mere delineation of character and of manners. Men of great abilities have used it for the expression of their opinions on a variety of topics, which, but for the causes we have mentioned, would have been given to the world in the shape of an essay or a treatise.

It has thus happened that much of the reasoning and speculation of the day is to be found in the innumerable works of fiction constantly issuing from the press, which have consequently assumed a very important station in the literature of the age. Some of these possess great merit, and though few are entitled to the praise of holding "the mirror-up to nature," being deficient in the highest and best quality of a good novel, the just conception and dramatic delineation of character, yet in many are found much elegance and force of style, eloquent and impressive description, beautiful and poetic thought and ingenious reflection. These are admired and read, and live their little hour, sparkling waves in that annual stream of "new publications," which is constantly sweeping over the public mind, producing its silent changes in the land-marks of thought and the boundaries of opinion. Many pass on to oblivion, to be succeeded by the brilliant trifles of the next year. Few deserve a better fate, for it can seldom happen that a master

spirit appears, who, like Scott or Shakspeare, stamps the impress of his mind upon an age and nation. The inspirations of genius are rare and precious. They are not mere descriptions of the transient characteristics of a people or an era, neither do they take the shape of disquisition or argument or speculation, the resorts, all these, of ordinary intellect; but they are intuitive revelations of the eternal truths of nature, exhibitions of the mysterious workings of human passion, and as such are rescued by the general admiration of mankind from the withering grasp of time, and preserved by successive generations, as their most sacred and valuable possession, to delight, to inform, to elevate, to purify and to soften the minds and hearts of men.

If universal popularity be a proof of great merit, no one certainly can deny that of Mr. Bulwer. His works are anticipated with eagerness, and widely circulated both in England and in this country. No writer of the present day has the opportunity of influencing so many minds, and as the class of readers, since the commencement of his career, has been greatly enlarged, we doubt whether there ever was an author except Scott, whose works, during his life, have enjoyed so extensive a circulation as his.

But popularity is not fame, nor is the praise of the multitude honour; and the qualities which win the admiration of the mass are not always those which secure the approval and respect of the judicious, who are necessarily a small number. The great majority of readers are incapable of appreciating the highest excellence. Prominent and striking traits, glitter of style, intense passion, wild adventure and a tale of interest, attract the attention and excite the feelings of the many, whose vision is too coarse to detect the minute touches of beauty and the delicate grace, of a work of real genius, and too narrow to comprehend its general scope and the harmony and arrangement of its parts.

A correct taste—the power of appreciating a work of genius—is the result of a good understanding, improved by cultivation. It is not therefore astonishing that productions of inferior merit often obtain great popularity. This is particularly the case with the novel which is addressed to readers of every class, and whose pliable form, facility of execution and variety of topic enable writers of second rate ability to produce a very interesting and agreeable book.

Among these we have always ranked Mr. Bulwer. He is the most popular author of the day, and we think his works afford a good illustration of our preceding remarks, and prove that a writer with but little dramatic power, false and often extravagant in his conceptions of character, and with many glaring defects of style, may yet be successful as a novelist.

That Mr. Bulwer possesses no ordinary degree of merit we do not mean to deny. In all his novels the story excites absorbing interest, the incidents and descriptions display a fertile imagination and command of language, and the philosophic speculations with which they abound, if not convincing, are at least ingenious. His delineations of manners and the exterior of society are animated and striking, and the poetry and moral of many scenes and situations of life are developed with considerable effect. He is one of those to whom we have alluded above, who have chosen the convenient and popular form of the novel, not from the instinctive impulses of genius, seeking to give form and expression, "a local habitation and a name," to the beings of its own creation, but for the purpose of uttering his opinions on various topics of moral science, and of describing the manners and spirit of society, and the influence of particular institutions, in different classes and at different epochs.

We think Mr. Bulwer much more of a philosopher than a poet. He has no creative power; and would have secured a more lasting fame, though probably his writings would have had a less extensive circulation, had he confined himself to the exercise of his reasoning faculties, and not attempted to soar into the dangerous regions of the imagination. As an essayist, as a writer on politics, ethics or history, he might have discovered truth, or at least applied it with force and effect, and produced lasting benefits to society. His "England and the English" is evidence of his powers in this way. As a novelist he will be the favourite of one generation and forgotten by the next. He will be succeeded by some new candidate for favour, equally brilliant and superficial, who will make his stories equally interesting, *describe* passion and "get up" scenes with equal effect, and sell as many editions as himself.

It is comparatively an easy thing to invent an interesting story; to imagine and describe incidents and scenes and persons, and, through many alternations of hope and fear and excited curiosity, to keep awake the attention of the reader, till the fate of those for whom his sympathies have been roused shall be decided. The novelist, however, does not trust merely to the interest of the narrative. Highly wrought and poetic descriptions of faces, forms, costume, manners, and scenery, are presented in brilliant array to the dazzled imagination; in addition, we have usually lively and pointed dialogue and profound speculation, tinged by the golden hue of poetic thought and warmed by the genial glow of romantic and tender, perhaps—for such is the modern taste—of voluptuous sentiment; reason, imagination, sense, our passions and our sympathies, are all appealed to, and we peruse the fascinating volume, excited and bewildered by the whirl of events and the glare of artificial radiance, with a confused

feeling of pleasure, like a child during his first visit to the theatre, without being able to examine and analyse the sources of our enjoyment.

We are better able to form a correct judgment after a second reading. The story and incidents are then known and curiosity satisfied; the characters are familiar and no longer dazzle us; and, deprived of the charm of novelty and of the vivid colouring which excited feeling always lends to the objects which produce it, the philosophy, the wit, the sentiment and the description assume their true form and aspect; sophistry, flippancy, feebleness and bombast, if such exist, are then recognized and excite proper disgust—whilst truth and nature, real feeling and genuine humour, are more deeply admired, because better understood.

We think that the novels of Mr. Bulwer would not reward, and that they rarely receive, repeated perusal. We do not recur to them again and again, as we do to Shakspeare and Scott, for instruction, for amusement, and for the elevated enjoyment which accompanies the excitement of ennobling and generous emotions. The reason is, that he is entirely deficient in the first great merit of a novelist—the just conception and dramatic delineation of human nature. With the interest of the story the whole charm vanishes, and the blemishes appear. His characters are not characters;—we do not recognize in them the features of humanity. We make no acquaintance with them—they excite no sympathy or interest apart from the circumstances and scenes with which they are connected—we do not think of them as of persons who have really existed, as we do of the creations of Scott, whom we know by their own words and actions, and whom we love, admire, respect, or execrate, for their own sakes, and for the qualities which they possess. Who ever remembers, or having once read, cares for the plot, the story of Scott's novels? It is only useful to develope his characters. But *Monkbarns* and *Edie Ochiltree*, *Cedric*, *Front de Bœuf*, *Rebecca* and *Bois-Guilbert*, *Fergus*, *Flora*, *Waverley* and the *Baron*, *Rob Roy* and *Die Vernon*, and a hundred others, no one can ever forget. They form part of our memories; they seem like the friends, the companions, the enemies of our youth. We have known them, heard them, seen them; felt with them and for them; laughed at their jokes, wept for their misery,—loved, admired, or hated them—and passed with them through scenes of passionate and thrilling excitement—and we return to the wonderful pages in which they live and move and have their being, with a delight that is never satiated and an interest that never dies.

Far different is the effect of Mr. Bulwer's characters. They are unnatural combinations of qualities, arbitrarily put together,

without consistency or harmony ; which refuse to amalgamate for the formation of a whole, and which therefore excite little sympathy or interest. If they are false in conception, the mode in which they are delineated is tame and weak. They are described and analysed, and their motives, and feelings, and thoughts, are explained by the author to the reader, who should gain his knowledge of them by what they themselves say and do, and by the influence which they exert upon others. Mr. Bulwer is by no means dramatic. He has indeed abundance of dialogues, which are lively and pointed, and philosophic, but not easy and characteristic. They "want the natural touch;" and are employed not so much to develop the characters as the plot, or as vehicles for the speculative opinions of the author on manners, politics, or morals, without much reference to the persons who utter them.

Next to the natural conception and delineation of character, we think the most important quality of a good novelist is graphic and animated description. It performs for the reader the service of the actors, costume, and various apparatus of the stage, and with far greater effect. By its assistance images are presented to the mind, with which to associate the abstractions of the author; the characters represented are clothed in the lineaments of humanity, and made real and life-like, and the effect of the whole is rendered more complete and forcible.

Here also Sir Walter Scott is pre-eminent. Though simple and unadorned, his descriptions are in the highest degree natural, graphic, and striking, and present to the imagination an animated picture of persons and scenes, full of life and spirit. He was a lover of nature, and familiar with all her aspects. He was an agriculturist, a sportsman, and a poet, fond of all active and manly pursuits, and could appreciate and describe with accuracy, and with the effect which knowledge of details alone can give, the beauties of scenery, the habits and appearance of animals, and the visible accompaniments of physical exertion and excited passion. As in his characters he shows us the beings which he has conceived, speaking and acting as they would do in real life, so by the truth and spirit of his descriptions he displays the same creative power, and places before our eyes a vivid and moving picture of the scenes through which they pass, which impresses us in the manner, and almost with the force, of reality. So perfect is the drawing, so magical the colouring, so instinct with life and action are the figures, that the illusion is complete; and as we read, the language of truth and nature conveys to the mind the same images and excites the same emotions as the actual scene itself would. The royal palace, the feudal castle, the baronial hall, the peasant's cottage, rise before us. The forms of men and women whom

we know, in various costumes, with the expressions, gestures, and attitudes of life, are around us; we hear the baying of the hound and the blithe notes of the bugle,—the trumpet's blast and the din of arms, and we join in the ardour of the chase and the hot excitement of the battle.

This perfect representation of natural objects, and of the exterior of life, is in entire harmony with his dramatic exhibitions of human character, and the same quality of genius is necessary for the production of each. Both are creations according to the truth of nature, and are made to affect the mind by means similar to those which nature employs. Mr. Bulwer's descriptions are of a very different kind, and are marked by the same defects as his delineations of character. He analyses and explains passions, opinions, and motives, and the influence of circumstances and social relations, and in the same way he describes the effect of the beauties of nature, and of particular scenes and situations upon the feelings, and expatiates upon the moral and political associations connected with them. Scott excites the emotions and associations thus described, by showing us the scene itself. The one produces the cause, the other explains its operations and effect; the one is a poet, the other but a philosopher.

In those instances where Mr. Bulwer has wandered from the accustomed and true path of his genius, and attempted a detailed and graphic description, we think he has entirely failed. His representations are theatrical, extravagant, artificial, and lifeless; without energy, action, or the impress of reality, and are evidently "got up" for effect. His conception of that which he wishes to describe seems to be always feeble, inadequate, and tame; and it is not the profusion of words, the harmony of periods, or an ornamented style, that can cover the deficiency. For illustration we need only refer to those descriptions in which he endeavours to place before the reader a forcible and striking picture of scenes and events; such, for instance, as the destruction of Pompeii, and combat of the gladiators, in the same work; the rencontre of Adrian Colonna and Montreal, the battles between the nobles and the people, and the various processions and festivals of pomp and display in *Rienzi*. How faint and indistinct is the impression which they leave upon the mind; how dim, confused, and artificial, do they appear, even whilst we read them! Compare these with the representations of similar scenes by Sir Walter Scott; the marches and battles in *Waverley*, *Old Mortality*, and *The Crusaders*; the escape of Miss Wardour and her father from the tide, in the *Antiquary*; and above all, the wonderful representations of nature and life, of scenery and action, in *Ivanhoe*; the hall of Cedric,—the hut of the merry friar,—the adventures of the bold

outlaw and his band in Sherwood forest,—the tournament at Ashby,—the lists at Templestowe and the storming of Torquilstone Castle ;—descriptions which we read a hundred times with the same breathless interest, and which for truth, spirit, sublimity, and effect, are not excelled, if equalled, by any author of ancient or modern times.

Not only are Scott's novels admirable delineations of character and manners, but their moral tone and effect is excellent and elevated, and this we think results from their truth. The persons whom he represents, inspire, like the individuals whom we meet in our intercourse with the world, the legitimate feelings of respect or detestation, by the simple and natural exhibition of qualities which they possess. Virtue needs not the embroidered robe of rhetoric to make her charming, and

“ Vice is a monster of such frightful mien,
As to be hated, needs but to be seen.”

In the pages of Scott both are portrayed in their true colours, and no one, whose moral sensibilities are of the right kind can contemplate the picture without being made wiser and better by the excitement of the best feelings and noblest impulses of his nature. We cannot bestow the same praise on Mr. Bulwer ; on the contrary, we consider the tendency of his writings to be decidedly dangerous and injurious. They are full of morbid feeling and extravagant sentiment, which frequently degenerates into sickly sentimentality. Vice and frivolity are decked out with every meretricious allurements ; and virtue, when suffered to appear, is so full of affectation, mannerism, and conceit, displays so many airs and graces, is so bedizened with finery, and so extravagant in her demeanour, that her friends scarcely know whether to recognise her as an honest woman. Hypocrisy, selfishness, sensuality, and cunning, are described as united with the greatest and noblest qualities ; they are made successful, and inculcated as evidences of worldly wisdom and high endowment, and our sympathy and admiration are claimed for the persons thus composed of such incongruous materials, who are graced with all the fascination of manner, brilliancy of wit, and powers of intellect, with which the author can invest them. Pelham, Glanville, Paul Clifford, Brandon, Mauleverer and Arbaces, are of this description, besides other philosophical knaves, coxcombical political economists, and amiable thieves, who figure as subordinates.

Mr. Bulwer's descriptions of female character and of the passion of love are generally considered, and justly, the happiest and most successful of his efforts. He has delineated, with much beauty, the softness, delicacy, and grace of the sex, and

has analysed and described the emotions which they inspire, and those by which they are affected, with the ingenuity of a philosopher, and the eloquence of a poet. We are speaking now, however, of the moral effect of his works, which we cannot think improved by those voluptuous pictures of licentious and illicit love, with which his writings abound and which it seems his peculiar delight to paint. Their beauty and eloquence make them the more injurious, and Mr. Bulwer has thrown around them all the fascinations of fancy; but they too often want the dignity and elevation of moral excellence. Even in his descriptions of virtuous passion there is quite as much sensuality as sentiment, and they do not excite our interest and sympathy like the representations of generous, elevated, and manly feeling, of soft, womanly, and pure affection, which delight us so much in Scott.

We are no admirers of Mr. Bulwer's style. It has occasionally both vigour and beauty, but is more frequently turgid and artificial. It is full of false ornament and rhetorical effort, and wants the simple elegance which springs from purity, the graceful ease which comes of strength, and the transparent perspicuity which is the result of accurate thought.

We have placed at the head of our article, as an excuse for the foregoing remarks, the title of Mr. Bulwer's late work. It is marked with all the characteristics of the author of *Pelham*. It is an historical novel; and here again we are reminded of Scott, who has so admirably embodied the spirit, whilst he has painted with such graphic power the manners, of the past. There is perhaps no task more difficult even for the highest genius, than an attempt to represent human character under the influence of institutions, habits, and circumstances different from those which the writer has himself observed; to form a consistent and harmonious whole, from the uncertain and scattered hints of history, and to revive the men and women, opinions, manners, and passions of an age deeply buried under the accumulated mass of centuries. Shakspeare and Scott have done this, and they alone. With a power of induction which appears intuitive, from a few given facts they have inferred qualities, and described characters and scenes in harmony with them; have seized and stamped upon their works the spirit of the age, and represented the persons and events of history with the truth and individuality of life itself. It is impossible to read them without being convinced that the moral features, the passions, sentiments, and modes of thought are such as actually existed, because from the instinctive faculty which man has of recognising his own nature, we feel that under the circumstances such *must* have existed. This is peculiarly true of the Roman plays of Shakspeare. We always think of

them as the true records of the persons and events of the period to which they relate. They are instinct with the spirit of antiquity, and with the spirit of life and nature also, and we read them with the same conviction that they represent to us the characters, thoughts, and passions of the times, which the traveller, who walks through the streets of Herculaneum or Pompeii, feels, that he is surrounded by the temples, the palaces, the domestic homes and household utensils of a people long since past away.

The era which Mr. Bulwer has chosen for the scene of his novel is one remarkable and interesting in many respects to the student of history ; not rendered so indeed either by Rome or Rienzi, for the one was utterly degraded and had ceased to be in any sense the seat of empire, and the other was a transient and unsubstantial pageant, whose career was without dignity and without result, but by the great moral and political features of the time.

The different kingdoms and states of modern Europe are composed of fragments of the Roman empire ; the ancestors of their inhabitants were those barbarians, who, issuing from the forests of the north, crossed the frontiers so long sacred, but no longer impregnable when courage and skill had ceased to guard them, and burst upon the rich plains below, covered with the results of industry ; sweeping before them the accumulated wealth and magnificence of ages, destroying whatever was destructible, and almost exterminating the degenerate inhabitants, who, debased by centuries of servitude and luxury, wanted energy to defend their possessions or their lives. Old institutions, habits, and opinions, whatever remained of art or literature, was annihilated ; a new people, fierce and ignorant, was introduced ; society returned to the savage state, and civilization was commenced anew. The progress was slow but steady, for the conquerors were of a generous race, and ere long displayed "the mettle of their pasture ;" and amid the anarchy and confusion, amid the chaos of discord and crime which immediately followed their success, order and regularity began gradually to appear ; the elements of social knowledge were revived ; men, as they felt the necessity, united for mutual assistance and protection, and the heterogeneous mass slowly crystallized into forms of government and separate communities.

It is during this period of darkness and barbarity that we must look for the first operation of those causes which have produced the civilization of our own times, for the first dawning of that knowledge whose radiance is now so bright and diffused, for the sources and origin of the opinions, prejudices, customs, laws and principles of government which influence or control the social and political condition of modern nations.

Italy was peculiarly fortunate in these times of change and mental development, in being the first to feel the beneficial influence of the causes of improvement then in operation ; and the situation of that country during the fourteenth century merits particular attention. The tumultuous flood of the crusades had passed over it, leaving fertilizing deposits, though carrying desolation to more distant lands. The sources of wealth and knowledge which they were the means of opening, gave stimulus and impulse to the energies of mind ; industry and enterprise were excited by the prospect of a rich reward ; navigation and commerce were improved and extended, cities were built, and rose to opulence and grandeur, and with the increase of trade and the accumulation of wealth, came the spirit of liberty and the love of letters.

Whilst Pisa, Genoa, Milan, Venice, and other cities of Italy were increasing rapidly in extent and magnificence, whilst their inhabitants were becoming rich and refined, and were living under the protection of equal laws and regulated government, the people of Rome, unaffected by the causes which gave such spirit and energy to improvement around them, remained a degraded, turbulent and brutal populace, alternately tyrants or the victims of tyrants, and as base and cowardly under oppression as they were cruel and vindictive in the exercise of transient power. Without agriculture, manufactures, or commerce, society was divided into two classes only, the populace and the nobles. There were no middle ranks to give stability and firmness to the government, by the sobriety, self-respect and love of order, which are produced by the practice of industry, and the possession of property. In that genial climate a mere subsistence was easily gained, and the Roman people were almost entirely supported by the concourse of strangers who flocked for various objects from all parts of Europe to the papal court. From this source they were fed almost without labour, as they had been in former times by the gratuitous distributions of corn, and by the bounty of ambitious men anxious for popularity and desirous to obtain their "most sweet voices," at the elections. They possessed all the vices of idleness, with some superadded peculiar to themselves. They were proud, or more properly vain, of their name and of the glorious recollections connected with it ; of their city, the dread "mother of dead empires," august and venerable even in decay, and they still claimed for themselves the ancient powers of the people. Pride without merit, ignorance and poverty united with power, form a very dangerous combination of qualities, and Rome from the time of its final disjunction from the eastern empire to the fifteenth century, when the temporal dominion of the popes was firmly established, was the constant scene of popular

violence and outrage. The name of Roman was a term of contumely and reproach, and those who bore it were regarded with general contempt and execration as the vilest, the most cowardly and most turbulent population of Europe.

The multitude is proverbially fickle, and "the democracy" of Rome was never satisfied. It was always "reforming the constitution," pulling down or setting up forms of government and rulers according to the caprice or frenzy of the moment. Rienzi was not the only "man of the people" of that period who was raised to power by their favour and hurled to destruction by their fury. For two centuries before his time, Rome had been the scene of successive revolutions. Arnold of Brescia was elevated by the enthusiasm of the people, and afterwards burned to death amid their acclamations; they next established a sort of senate, intended as a revival, but which was in truth a burlesque imitation, of that ancient senate which governed the world; it was found productive only of anarchy, and, following the example of the other cities of Italy, the Romans sought repose under the government of a Podestá, and chose Brancaleon. His administration was wise and just, firm and prudent—but it did not satisfy the people; he was deposed, imprisoned, and would have been slain but for the interference of his native city. Charles of Anjou was the next object of their choice and victim of their inconstancy. During this time the power of the popes, unsettled and disputed as it was, had some influence in the preservation of order and the protection of the state from the tyranny of the nobles and the excesses of the mob. At length, disgusted by the turbulence and insolence of the people, they retreated from the Tiber to the Rhone, and sought at Avignon the security and quiet which they could not enjoy in their own city, where their authority was contemned and their persons outraged. Deprived of their protection, and of the wealth which was attracted to the papal court, Rome became a den of robbers. The rival houses of the nobility were embroiled in constant and bloody feuds, and the wretched people were the victims of the fierce barons and their warlike followers, who oppressed and insulted them in every way with impunity. At this time Rienzi appeared. His ardent imagination had been excited by the narratives of Livy; he was fired with indignation by injuries which he had himself received; his mind was filled with romantic ideas of ancient liberty and virtue, entirely inconsistent with the spirit and exigencies of the time, and the people were ready to follow any leader who promised them escape from their misery, and vengeance upon their tyrants. He succeeded in establishing his power, but it was dependent for support upon the breath of a debased and giddy populace. He had not the calm judgment,

prudence and strength of mind necessary to retain it. The wild and visionary enthusiasm and popular arts which had elevated him, could not sustain him in the station which he had reached. He was intoxicated by the trappings and seduced by the blandishments of power, and became arrogant, vain, cruel and sensual. He wanted balance of mind, and his passions and imagination overpowered his reason ; he did not possess the profound sagacity and clear forethought of a statesman, and instead of adapting his measures to the spirit of the age and the character of the people, he attempted to realize a Utopian dream and failed, as all must fail who mistake the visions of a morbid imagination for the dictates of wisdom or the inspirations of genius. His career and his schemes, all that he did and all that he proposed to do, were without the dignity, simplicity and consistency of truth. They wanted the earnestness and directness of purpose which springs from original and natural impulse, caring for nothing, thinking of nothing, but the attainment of its object. Neither that which he accomplished, nor that which he intended, was in accordance with actually existing feelings and motives, but was an attempt to revive what was for ever dead, the feelings and motives and virtues of a former period: It was not reality but imitation, and like all imitation, all moral imitation at least, was false, affected, unnatural and theatrical ; ever seeking for effect, and striving to present the same appearances which its model presented whilst striving for an object, like an actor whose aim and study alone it is to exhibit the gestures, tones and expression which genuine passion unconsciously displays. Hence the pomp and state, the titles, processions and ceremonies which Mr. Bulwer so much admires, and hence too the tribune's speedy fall ; for nature is always triumphant, and the operation of moral causes cannot be checked by artificial systems. He shared the fate of his predecessors, and was slain by the vile populace who had so lately worshiped him, and whom he had so greatly benefited. This was the natural and appropriate termination of his career, not only because of the baseness and fickleness of the people whom he attempted to govern, but because of the extravagance, weakness and folly of his own conduct. He treated a miserable mob as though they were Romans of the days of the Gracchi, and he behaved so absurdly, and in some cases so meanly, that had such been the case he would probably have met a similar fate, though from different causes. The popes were better politicians ; soon after the fall of Rienzi they returned to Rome ; in the mean time, gunpowder had come into general use ; they garrisoned the castle of St. Angelo, kept the people in awe by a military force, and firmly and permanently established their power.

Mr. Bulwer has written this novel professedly with the object of giving to the public an account of the life and times of Rienzi. He tells us that his first intention was to do this in the form of a biography. We regret that he did not adhere to that project. We think he would have produced a much more interesting and instructive work. It would have possessed, at least, singleness of object and unity of character, and the nature of the undertaking would have left him without excuse for violations of truth, which is the ancient and allowed privilege of a writer of fiction. As it is, we can scarcely discriminate between the romance and the reality, and it is difficult to know what traits, characters and descriptions are intended as faithful delineations, and what as the mere inventions of fancy.

Whether considered as a work of imagination or a history, we think this production equally defective. If we regard it as a novel, it is marred by all the faults, both of conception and execution, which distinguish the other writings of its author, and it possesses but few of his redeeming merits. The plot is artificial and strained, and the incidents do not appear to flow naturally from the motives of the persons and course of the action, but are introduced merely to develop the story. This is made to depend upon two circumstances, one of which is disgusting and the other degrading. We mean the mistake which Adrian makes of the body of another woman for that of his mistress during the plague, and the infamous trick by which Nina induces Albornoze to procure the liberation of Rienzi from prison, which is entirely out of keeping with the high qualities with which she is invested, and destroys the admiration we should otherwise feel for her. The characters want life, individuality and truth, and are not developed dramatically; they are analyzed and described, instead of being made to speak and act. They do indeed both speak and act, but their language is stiff and unnatural, and is employed more for the purpose of discussing political opinions and carrying on the plot, than of displaying mental and moral qualities; and the descriptions of action, scenes and events are tame, confused and feeble; entirely deficient in vividness and graphic power, and, like the indistinct visions of a dream, or like objects seen through a mist, dim intimations rather than full portraits, produce an unsatisfied feeling even whilst we read them, and leave a faint impression which is soon obliterated. We think that all the characters and all the scenes of the work are illustrations of this remark. Nina, Villani, Irene, Adrian, Montreal, Rienzi himself, are not individual, distinct, consistent creations, with whom we have made acquaintance, and whom we know and recognize as men and women; they are merely names

given to certain arbitrary combinations of qualities, which the author has chosen to put together, and call a human being. These incongruous combinations are endued with form and feature, and are represented as speaking and moving; but their language is not the characteristic language of passion and feeling—but of a didactic essay; and their actions do not spring naturally from their motives, and are not always in harmony with the qualities they are supposed to possess.

If *Rienzi* is to be considered as a work of history, it is only another instance of what we have already noticed, the adoption of the form of the novel for the purpose of expressing abstract philosophical opinions. This, besides being inconsistent with the objects or the attainment of the highest art, is a practice liable to great abuse, since the imagination and the passions are addressed, and not the reason—and they are easily enlisted on the side of error. Mr. Bulwer says in his preface, that “it must be by very ingenious minds indeed that these volumes can be perverted to the party purposes of the day—nothing at least is further from my own wish—my own intention.” If they were not intended to serve party purposes, they are at least deeply tinged with party feelings and prejudices. It is an easy matter to discover that the writer does not belong to the conservative party, notwithstanding the “conservative moral” which he asserts may be detected in them. The “radical” is seen in every page; and though a “conservative moral” may undoubtedly be derived from the main facts which cannot be denied, that *Rienzi* was elevated by the favour of the people, that he introduced order and justice where anarchy and oppression had reigned before, and that, notwithstanding, he was by that very people deposed and killed, yet we do not think that the true inferences, the “calm and acknowledged lessons of the past,” are fairly deduced from his career and the events of the period. A partial, one-sided view is given of the times and characters. The *Rienzi* of Mr. Bulwer is not the *Rienzi* of history. His virtues and talents are magnified and exalted, his vices and follies softened and defended. Noble and generous motives are invented for his cruelty, arrogance, vanity and extravagance, and he is represented as acting solely from the impulse of disinterested patriotism and enthusiastic love of liberty. On the other hand, the vices of the nobles are proportionably exaggerated. They are all cowards or brutes, and monsters of savage barbarity, with the exception of Adrian, who, partly from love for the tribune’s sister, and partly from the convictions of a cultivated mind, comes over to the popular side. Whilst many instances of the excesses and cruelty of the barons are delineated in glowing colours, the baseness and degradation of

the people are rather intimated than described, and the pity and indignation which their sufferings and oppression naturally excite, are left unqualified by the disgust and detestation which their vileness and brutality would create. The whole tone of the work is not merely republican but democratic—the schemes of Rienzi, the principles which he adopted and upon which he acted, are stated and defended with enthusiasm, and their failure ascribed solely to the meanness and stupidity of the Roman populace and to the arts of a vulgar demagogue.

We have neither space nor inclination to discuss the opinions of Mr. Bulwer. We object to the form in which he has chosen to put them forth. A philosopher should appeal to reason and not to passion; a historian should adhere to the truth of history; a novelist to the truth of nature. “Rienzi” is neither simply a philosophical treatise, a history, nor a novel; but aspires, we think without success, to be a combination of all three. It wants the methodical arrangement and full reasoning which should belong to the first, the scrupulous impartiality which should distinguish the second, and the graphic power and dramatic developement of character essential to the excellence of the last. We do not admire either Mr. Bulwer’s poetry or his politics; the first is feeble, artificial, and affected; and the other full of the factitious sentiment, the wild unsubstantial speculations which might be expected from so ardent an admirer of the character and schemes, the visionary enthusiasm, and secondhand patriotism of “The Last of the Tribunes.”

We should be sorry to believe that the sentiments and opinions expressed in this work, are those generally felt and acted upon by the party to which its author belongs. We are sure they are not congenial to the hearty loyalty and rational love of liberty which have always distinguished the English character, any more than they are to the sober sense and practical sagacity of our own. It would be a mistake to suppose that the intelligent portion of the American people wish success to the radical party in England. However much we may love and admire our own institutions, as applicable to the circumstances of our country, the very knowledge which experience has given us of their nature and operation, is enough to convince all reflecting men that the attempt to introduce them into England would necessarily fail, and most probably result in a bloody revolution; in the overthrow of the established government, and the dismemberment of civil society, accompanied by all the horrors and atrocities of popular violence. Party contests are always headed and inflamed by selfish ambition, and the fires of passion once lighted, though for a transient purpose, may become a conflagration which cannot be checked. The lower classes of England, though possessing many higher

qualities, are, nevertheless, dense and dangerous masses of ignorance and brutality; ever liable to be inflamed, and hurled blazing against those venerable social fabrics, under whose ample protection a free and mighty people, the greatest which the world has yet beheld, in arts, in arms, in morals, in literature, in all that ennobles and adorns our nature, has reposed and flourished for so many ages in peace and security. From this people we are proud to have derived our origin. We owe to them our laws, our language, our knowledge, our habits, our enterprise, our energy—all that has made us what we are—all that gives us assurance of realizing the bright hopes of the future. Americans can never be indifferent to the welfare of England; whilst they are ever anxious for the diffusion of liberal principles, and the establishment of rational liberty in all countries, they do not view with complacency the efforts of selfish demagogues or of visionary enthusiasts, either at home or abroad, who, to gratify private ambition, or to realize the dreams of a morbid imagination, are willing to sacrifice the happiness of the present for the chance of obtaining something better for the future.

There are some persons whose selfishness is so great that "they will set a house on fire, and it were but to roast their eggs;" and some fanatics who regard whole generations of men as fit subjects for political experiments, and who, in order to execute their chimerical schemes, or apply their wild and speculative theories, are willing to involve a whole nation in blood. Both are equally reckless of human misery in pursuit of their objects; and whether they appear as intriguing politicians, agitators, radicals, "friends of the people," or of "the rights of man," in a country where the security of personal liberty and private property is protected by the equal administration of law, they should be regarded with distrust and suspicion by all capable of appreciating and enjoying the blessings of social order, regulated liberty, and established government.

ART. VIII.—*Reports of William Rawle, Thomas I. Wharton, and Joel Jones, Esquires, Commissioners appointed to revise the Civil Code of Pennsylvania.* Harrisburg.

The idea, that the whole jurisprudence of a country may, with advantage, be reduced to a written code, has never met much favour in the eyes of the legal profession in England or this country. Indeed they are sometimes disposed to carry this jealousy to an extreme, and oppose all measures calculated to ameliorate the crude efforts of hasty legislation. The uncandid and superficial observer is too apt to attribute this to a supposed interest in the perpetuation of abuses, which, were it necessary, might be easily shown to have no existence. Nor does it result from a prejudiced attachment to antiquated notions, nor from a fear that their past labours and studies may be impaired in value by any general and radical change either in the principles or administration of the law. It seems to arise from a consideration, to which Mr. Duponceau has adverted, that “the course of the common law naturally leads those who are engaged in its studies to take practical, rather than theoretical, views of almost every department of it.” The truth is, that lawyers, better than any other class of people, know the importance of certainty. “*Misera est servitus ubi jus aut vagum aut incertum*” has been their leading sentiment from the earliest times. However paradoxical it may seem, the common law of England, which is the basis of the jurisprudence of this country, does possess a degree of certainty to which no general written code can lay claim. This assertion is attested as a fact by Lord Coke, and his experience is confirmed, it is believed, by the observation of every one practically engaged in the administration of justice.

England has been called “the paradise of customary law.” The common law of England is allowed to be only the general custom of the realm, commencing, perhaps, originally in express legislation, ancient statutes worn out of use, but without question extending and accommodating itself to the varying and increasing wants of a growing community, and possessing a power most like “that silent judgment of the people, which tends to correct the mistakes of arbitrary legislation.” Hence its peculiar adaptation to free states, and hence, transplanted by our forefathers from England, it has found a most congenial soil in the United States.

The certainty of the common law may be traced to two main sources. One the trial by jury; the constitution of which tribunal, and its appropriate place in the system, have rendered it necessary that a clearly drawn line of demarcation should be preserved between the law and the facts of every case. Hence

the purity of the law for the most part has remained untainted by the hardships of particular cases. The other cause is the stern character of the maxim *stare decisis*, the necessity of which cannot be portrayed better than in the energetic language of Sir William Jones : "The maxim, that *nothing is law that is not reason*, is in theory excellent, but in practice dangerous ; as many rules, true in the abstract, are false in the concrete ; for since the reason of TITIVS may, and frequently does differ from the reason of SEPTIMIUS, no man, who is not a lawyer, would ever know how to act, and no man, who is a lawyer, would, in many instances, know what to advise, unless courts were bound by *authority* as firmly as the pagan deities were supposed to be bound by the decrees of fate." Our lawyers, though they search every where for the principles to guide them, bow to no binding authority but the adjudications of the courts, and even these they narrow down to the very point of the controversy. The authority of a case is not the *reasoning* of the judges, but the *judgment* of the court upon the facts. Thus, though there be writers and judges entitled to all the veneration that could be accorded to a Papinian, and perhaps as well worthy to be called "Juris asyllum et doctrinæ legalis thesaurus ;" we know none whose mere *dictum* is law. The principles and rules that are to govern every case, are publicly discussed by men who have made the study of the law their profession, and who naturally put in requisition all the learning and ingenuity they possess, to present that view most favourable to those who employ them. The judges, fraught with the lucubrations of twenty years or more, are the calm and impartial auditors of this public discussion, and when they decide, are expected publicly to give the reasons of their decision. These two causes of certainty have subsisted from the earliest periods, and the common law has never been without their salutary influence.

The adjudications of the courts are the evidence of what the common law is, but when these fail (as they sometimes, though rarely, do,) the eternal and perennial fountains of all jurisprudence are its acknowledged sources. Hence not certainty alone, but boundless extent, stands in bold relief among its prominent characteristics. There is no vacuum. Every interstice of the written law is filled by its principles, rules, intendment, and reason. To adopt again the language of the eminent and venerable American jurist, whose name we have already taken the liberty to use, and who has expressed this sentiment with surpassing eloquence—"We live in the midst of the common law, we inhale it at every breath, imbibe it at every pore ; we meet with it when we wake, and when we lie down to sleep, when we travel and when we stay at home, and it is interwoven with the very idiom that we speak ; and we

cannot learn another system of laws without learning at the same time another language." "A man may live a century and feel (comparatively speaking) but in few instances the operation of statutes, either as to his rights or duties; but the common law surrounds him on every side like the atmosphere he breathes."

To reduce this system of jurisprudence to a written code, however beautiful the idea may appear in theory, it is believed would be found in practice to conduce neither to certainty nor simplicity. The administration of justice in a great community, in its nature is not a matter that can be reduced to the level of common understanding. The rules that adjust the complicated rights of men with a paramount view to the universal good over the special hardship of any particular case, cannot be understood and applied in the most simplified form that theory can devise, unless they are made the subject of long continued and devoted study and experience. The legal profession cannot be dispensed with in any country which has preserved a trace of freedom. It is one of the surest and best safeguards any where possessed for the security of life, liberty, and property. Men know this, or they discover it whenever their private interests are at stake. In every country where the attempt has been made to render every man his own lawyer, it has failed, and in Pennsylvania especially that failure has been signal.

But the full difficulty of reducing to a code the common law cannot be appreciated without considering that equity is its inseparable handmaiden. The term is, of course, here used in its forensic and not its popular sense. Justice cannot be fully and satisfactorily administered by the common law, without the assistance of equity powers and principles in some shape or other. It is naturally interwoven with, and is an essential part of the system. The establishment of a separate court of chancery, as in England and some of the United States, is not indispensable to its administration. Nor even that the jurisdictions should be kept separate in the same tribunal, by giving the court an equity side, as in the federal judiciary. The ordinary courts of law may be clothed with every really valuable equity power, and exercise a blended jurisdiction without material inconvenience. Even where the courts of chancery have a distinct constitution from the common law courts, it is a fundamental error to suppose that a different law is administered in the one than in the other. The forensic distinction between law and equity, is in the main for the sake of convenience in the administration of justice. The rules of property—which settle the distribution of the estates of intestates—which regulate the forms and solemnities of contracts—the express provisions of the statute law—are as inflexible in

courts of equity as in courts of law. The canons of evidence, in every system equally important with the former, (for what would be the value of a certain rule of right, if the evidence by which the facts of the particular case are to be brought within its compass were fluctuating and in the breast of the judges?) are rigidly adhered to in courts of equity. The rules of interpretation, also, which are applied to ascertain the intent of the parties in their acts and contracts, and of the legislature in statutes, do not differ upon one side of Westminster Hall from those which prevail on the other. Nor, apart from these considerations, even on those matters in which it claims a peculiar cognizance, nor in moulding its remedial process to effect its object, is equity a word synonymous with *discretion without rule*. Such may have been the fact in the first scanty exercise of chancery jurisdiction, when the chancellors were ecclesiastics, and when Selden may have been justified in comparing it to the chancellor's foot. But from the year 1673, and the chancellorship of Sir Heneage Finch, whence the court of chancery dates the establishment of its jurisdiction upon a broad and rational foundation, equity has been an expansive system, with rules, principles, and precedents, both as to jurisdiction and the mode of its exercise, imperative upon the chancellors. In the language of Lord Redesdale: "Principles of decision adopted by courts of equity, when fully established, and made the grounds of successive decisions, are considered by those courts as rules to be observed with as much strictness as positive law." And indeed a very eminent English lawyer (Mr. Sugden), who has made this branch his peculiar study, has gone much further, and asserted that "there are now many settled rules of equity, which require to be moderated by the rules of good conscience, as much as the most rigorous rules of law did, before the chancellors interfered on equitable grounds." Equity then is a wise, though artificial system, built up by time and experience, whose object in general terms, may be stated to be, to assist and advance the remedies provided by law for specific wrongs—to afford a remedy for cases where there is none at law, or where the common law remedy is inadequate to the ends of complete justice—to relieve against the abuse, or to allay the rigour of the law in certain cases, but in no case to contradict or overturn its grounds or principles. The forensic difference between law and equity is principally in the machinery of the latter. Its advantages are, that it addresses itself to the conscience of the party, and draws from him the truth, which may lie solely in his own knowledge, and which it may be essential to justice to discover. Its remedies are frequently preventive, by injoining a defendant from doing that which he has threatened, or continuing that which he has begun, to the injury of the

plaintiff's right; a result which, in general, cannot be reached by common law process. But "the greatest and most useful head" of chancery jurisdiction, as Lord Hardwicke has styled it, is the power of decreeing the specific performance of contracts. It is evident that the first justice between contracting parties, where the hands of the one demanding justice are (in the phrase of the court) clean—where his contract is fair and honest, and he has done all that under the circumstances can be asked of him—and where there has been no material change in events subsequently to make it inequitable—is to oblige the defaulting party to do the very thing he has contracted to do. This, in general, cannot be done by the common law courts. With some exceptions, the most they can do is to give the injured party an equivalent in damages for the injury he has suffered, and leave him to collect it from the person or estate of his opponent:—a remedy which is often illusory, and more frequently in its nature inadequate.

The difficulties in the way of reducing to a written code, the jurisprudence under which we lie, as has been proposed by some eminent men, seem to grow out of the system. Those learned jurists who have advocated a code, cannot, for a single moment, entertain the opinion that they can make all men lawyers. If they intend that such a work shall be a mere digest of the existing law, they cannot expect it to be accomplished without error and imperfection. In determining the law upon any one point, commissioners cannot enjoy the advantages of a court, in having the question discussed before them by counsel, with their zeal and ability excited by the pecuniary interests of their clients at stake. But if it be the intention only to give legislative sanction to points which have already received judicial determination, it is submitted that the case will be made no better than it is. If, however, it is meant—either upon the basis of the old or upon a new foundation—to form another system, then we protest that he would be a bold man, who would undertake to form a code to take the place of that which we have, in the former part of this article, feebly attempted to sketch.

There is one remark worth being made in relation to the civil law. It has been a system of codes from the beginning. It has always needed too those safeguards of certainty, the trial by jury and the *stare decisis*. An examination will show, that, admitting the entire success of the principle of code-making in countries whose jurisprudential basis is the civil or Roman law, (which is done for argument's sake only,) it forms no good rule or precedent to be applied to the case in hand.

The foundation of the Roman law was, on the one hand, the Twelve Tables, and on the other, the Prætorian Edict. To

these succeeded the responsa of the jurists and the constitutions of the emperors. In the beginning of the fifth century, the legal sources are said to have been theoretically the old enactments of the comitia—the senatus consulta, the edicts of the Roman magistrates, the constitutions of the emperors, and the unwritten customs—the Twelve Tables being considered as the basis of the whole, and all later changes being referred to them as additions or alterations. Practically, however, the writings of the great jurists and the constitutions were alone consulted as authority. The writings of the jurists were very voluminous and expensive. A profound writer, speaking of this period, after remarking that the jurists, on many subjects, entertained very different opinions, observes, that “the decision of law suits in these circumstances, must infallibly have been either exceedingly difficult or unsteady and arbitrary.” It was at this period that Valentinian III. established his celebrated constitution, A. D. 426, which was intended to remedy the inconvenience. By it the works of the five jurists, Papinian, Paulus, Gaius, Ulpian, and Modestin, received the sanction of legal authority, with the exception of the notes of Ulpian and Paulus on Papinian. In points upon which there was a difference of opinion, the majority was to prevail: if equally divided the opinion of Papinian was to be taken as law, and when he was silent, the case was referred to the judge. Upon the extinction of the western empire, there were to be added to the legal sources already enumerated, the Gregorian and Hermogenian codes, the code of Theodosius II., and the separate *Novellæ*—and as even these were beyond the impaired mental powers of the age, they were soon succeeded by the edict of the East Goth, Theodoric, the West Gothic Breviarium of Alaric II., the Papian among the Burgundians, and the laws promulgated by Justinian, at first only for the Eastern empire. Such was the mass of the Roman laws:—of its character we can have little doubt, when we consider how large a portion must have consisted of the imperial constitutions, the rescripts, decrees, and edicts; or the opinions and decisions of such ignorant princes as Commodus and Caracalla upon questions of law. These were the materials upon which Tribonian and his associates were compelled to work.

About three centuries after the death of Justinian, the *Basilics* of Basilius Macido, and his son, Leo Philosophus, superseded all former publications, and were the only laws in force throughout the eastern empire till its final extinction. Indeed, it is affirmed that so entirely were the works of Justinian sunk into oblivion in the east, that among the multitude of books brought into the west after the taking of Constantinople by the Turks, not a single volume of them was found except of the

novels. As to the west, the common tradition is, that they were disused and forgotten, after the extinction of the Roman power in Italy, until the discovery of the Pandects at Amalfi, A. D. 1137. However it may be as to the works themselves, the Roman law is to be traced before that period in the municipal constitutions of Italy and elsewhere. The conquest of the Romans by the northern nations, and their consequent intermixture, gave rise to that curious system, so paradoxical to modern ears, the law of personal rights. When we assume that the law, to which every individual owes obedience, is that of the country where he lives, and that the property and contracts of every resident are regulated by the law of his domicil, it is with some degree of wonder that any other principle could ever have been tolerated in any state of society. Yet in the middle ages, in the same country, and often in the same city, the Lombard lived under the Lombardic, and the Roman under the Roman law. The Frank, Burgundian and Goth, no matter where they might be, were each living under the rule of a different system. This is strongly expressed by the Bishop Agobardus in an epistle to Louis le Debonnaire: "It often happens," says he, "that five men, each under a different law, may be found walking or sitting together." Every person lived regularly according to the law of the nation from which he was descended on the father's side. It seems to have been maintained at one time that every one might, by free choice, and without regard to descent, elect the law by which he wished to live. This Lupi has endeavoured to explode, and his opinion, which has been adopted by a modern author of eminence, is that birth determined the law, and no choice was ever allowed unless in the uniformly excepted cases of married women and ecclesiastics; and in some countries, freedmen. The composition for crimes was regulated by the condition of the injured. In other suits, the law seems to have depended on that of the defendant. The validity of unilateral judicial acts was regulated by the law of the party, as in the case of oaths and testaments. Contracts were prepared according to the law of the debtor. The whole order of succession was arranged by the law of the testator or ancestor. Marriage must be celebrated according to the law of the husband. In questions affecting the property of landed estate, the personal law of the author was the rule. Runaway slaves were subject to the law of the reclaiming master. Whatever effect this system had upon the jurisprudence of western Europe, France liberally participated in it. The Roman law however gradually lost its authority as a personal law among the Franks of the north, owing to the preponderance of Franks, and the same reason operated to produce the converse effect in the south, where the Romans, by their

numbers, had retained the supremacy. In the north, the direct authority of the old national laws ceased. Even the name of the Salic law fell into disuse, and systems merely local, *coutumes*, occupied its place. In the south, on the contrary, the Roman law continued to prevail in its old form and exclusive character. Hence France, until the introduction of the code Napoleon, was divided into two districts governed by different systems:—*le pays de droit écrit* and *le pays coutumier*.

This brief sketch has been drawn from a few authentic sources, for the purpose of evincing that the circumstances under which the codes Justinian and Napoleon were promulgated were such, that they can afford no precedent for a proposed common law code. The common law does not present that jumbled mass, which imperatively calls for authoritative order and arrangement. Nor has their principal object been attained by the codes referred to. Though, with a view no doubt to maintain its simplicity, Justinian prohibited all notes and comments upon his code, it was, soon after its revival, overladen with the commentaries of civilians, so that at the date of the code Napoleon, it was estimated that as many camels could have been loaded with law books as in the time of Justinian. A distinguished legal writer states that the present law of France is to be sought from the following sources:—1. Those portions of the old law, which the codes Napoleon have adopted: 2. The portions of the old law, upon which the codes Napoleon have no operation, and which therefore are yet in force: 3. The new law: 4. The written and unwritten law, which made a part of, or was applicable to, the *enacted* or *continued* portions of the old law: 5. Or which is applicable to it by fair argument or inference: 6. And the interpretation of the codes which has taken place since their promulgation, and which will of course continue.

But the same objections which may be conclusively made to every attempt to reduce to a code the unwritten or common law, have no application to a revision of statutes or positive legislation. The latter in every country is narrow compared with the former. Statutes are often “on a sudden penned by men of none or very little judgment in law.” They often are unnecessarily verbose, complicated in their structure, “overladen with provisions and additions,” and where many acts upon the same subject have been passed at different periods, it is not only difficult to ascertain what parts are in force and what repealed, but they are often inconsistent and irreconcilable in their character. They sometimes become worn out—the subject-matter and state of society for which they were made cease to exist—and they are dropped by general consent. To reduce this chaotic mass to something like order

and regularity—to frame the enactment in concise and yet precise language—to bring together the different acts upon one subject into one general law, fitting the parts symmetrically together, striking out all that is superfluous and obsolete, supplying what experience has shown to be needed, and remedying defects—of the advantages to result from such a labour as this, when well executed, no one, whether lawyer or layman, can hesitate. Lord Bacon and Lord Hale were both earnest in their recommendations of a frequent revision. In England and the United States it has been done both in early and later times, either partially or in general.

The first settlers of Pennsylvania brought with them from England the common and statute laws of that kingdom, so far as they were applicable to the peculiar circumstances of a new country. Statutes passed in England since the settlement and prior to the revolution, are held to extend to Pennsylvania, when recognized by acts of assembly, and where they have been adopted and sanctioned by long-continued practice in courts of justice. The judges of the supreme court, in pursuance of a resolution of the legislature, reported, in 1808, nearly two hundred British statutes as in force; and many are believed, and some have been ascertained, by express judicial decision, to be in force, which are not comprised in that report. The report itself has, properly speaking, neither judicial nor legislative sanction. No action was had upon it, and although it is a paper of great value as an expression of the opinions of the eminent men who at that time composed the supreme bench, it is not an authority. It was the recommendation of that report to the legislature to re-enact “the substance of these statutes in language suitable to our present condition;” and it is remarked that such a re-enactment “might be attended with the additional advantage of simplifying the statute law, by reducing into one the several acts passed upon the same subject.” Besides this, there has been no dearth of legislation by the provincial and state legislatures. It is said that there have been upwards of seven thousand statutes passed since 1700. While of course the great majority of these are of a private and local character, no small proportion are public and general. There is no uniform and complete edition of the statutes, so that an idea of their bulk cannot well be communicated. Many of the more ancient and valuable laws are not in print, and a complete collection up to 1800 would be a valuable accession to the library of the student of Pennsylvanian history and jurisprudence, as well as to the practical lawyer, and is an object well worthy of the munificence of the legislature. Such a work has been accomplished with public patronage in Virginia,

and it is much to be regretted that the public spirit of Pennsylvania has never seen fit to erect a similar monument.

In such a mass of statute law it is not to be wondered at if we should meet with much inconsistency and frequent evidences of ill-advised haste. What is worse, is now and then to fall upon the traces of the Vandal battle-axe. The wonder indeed is, that, with it all, there has been maintained and perpetuated so valuable a system of jurisprudence. The truth is, that the spirit of Pennsylvanian legislation has been a gradual amelioration and adaptation to her present circumstances of the rules and doctrines of the common law. Sometimes going too fast, at other times perhaps too slow, at one time leaving the high road and striking out into some new and untried path, yet still returning, though with difficulty and reluctance. This has been her polar star. The judiciary have been able and willing co-operators in this good work. It is not the face of the statute books only, but of the reports also, which reflects back the image of wise, temperate, and gradual amelioration. The judges have allowed themselves more latitude than could be assumed in England, upon the basis of that acknowledged principle of colonial law, that the first colonists brought with them only such parts of the common and statute law of the mother country as were adapted to their new condition and circumstances. Those eminently wise and humane principles of the founder, which distributed property equally among all standing in equal degree to an intestate, made lands universally liable as personal property to the payment of debts, unfettered and facilitated the alienation and transmission of property, repudiated and rejected the subtleties and intricacies of English practice and pleading, and moulded the forms and proceedings of the courts so as to administer to a certain extent the principles and maxims of equity, constantly kept in view and carried forward by the legislature and judiciary, have altogether united to preserve and improve a system, whose spirit and general character at least, if not its details, have commanded admiration and been the subject of imitation not only in many of our sister states, but even in the mother country.

By the resolutions of the legislature, passed March 23, 1830, which authorised the appointment of the commissioners whose reports are placed at the head of this article, it was made their duty in substance "to revise, collate, and digest all such public acts and statutes of the civil code of this state and all such British statutes in force in this state as are general and permanent in their nature:" "to designate such acts or parts of acts which ought to be repealed, and recommend the passage of such new acts or parts of acts as such repeal may render necessary, and generally to execute the duties confided to them in

such a manner as to render the statute laws of Pennsylvania more simple, plain, and perfect :” and also, “to report whether it would be expedient to introduce any, and if any, what change in the forms and mode of proceedings in the administration of the laws.”

In the twenty-fifth number of this Review, an examination was made of the first and second reports of these commissioners, much more in detail than can be devoted to their subsequent labours.

The third report of the commissioners bears date December 31, 1832, and contains two bills of an important though local character. The first “An act relating to counties and townships, and county and township officers,” which was passed by the legislature and went into operation September 1, 1834.

This bill is mainly a digest and new arrangement of existing provisions. It will not be denied that it contains strong evidence of industry and accuracy. Indeed it may be confidently said here, once for all, that in that most difficult and useful, yet most modest part of their prescribed duty, the revision and consolidation of the existing statute law, the commissioners have justly given very general satisfaction. The amount and complexity of their labours in this respect are not to be judged by the bulk of their production. Not a trace of two thirds of the actual expense of time and study, which are as necessary to the rejection of what may be supposed to be redundancies, as to the adoption of new provisions, appears upon the face of the reported bills. It requires an intimate acquaintance with the whole subject matter, rightly to appreciate the difficulty of the task. He only, who has been obliged to look through an extensive and confused mass of acts of assembly to find some one point, and who has experienced the doubt and uncertainty arising from the fear lest it may have been repealed by implication or by some general repealing clause, which has escaped his observation, will be able to hold the value of these bills in proper estimation. The second bill contained in this third report, is entitled “An act relating to weights and measures,” which was in substance enacted into a law, April 13, 1834.

The fourth report of the commissioners, December 30, 1833, contains six important and well digested bills. 1. A bill entitled “An act relative to the organization of courts of justice,” which was passed by the legislature April 14, 1834. Although no alteration of the then existing system was incorporated by the commissioners into the bill reported by them, they strenuously recommended the adoption of some mode, by which the labours of the judges of the supreme court might be reduced within reasonable bounds. The circuit court system, by which the presence of one of the judges was required to hold a court

in each of the forty counties of the state, if there were any cases on the docket, and at the same time to attend six sessions of the court in banc, in the course of the year, certainly left them but little time for the careful and deliberate examination of the questions coming before them, not to speak of general study, and that relaxation which every mind, however vigorous, needs, if it would long retain its energies. The legislature has accordingly abolished the circuit courts, and reduced the sessions of the court in banc, from six to five. 2. A bill entitled "An act relating to roads, highways, and bridges," being principally a well arranged digest of the existing laws, upon which the legislature has not as yet acted. 3. "An act relating to inns, taverns, and retailers of vinous and spirituous liquors" which is also a digest of the acts in force, and which passed into a law March 11, 1834. 4. "An act relating to the support and employment of the poor," upon which no legislative action has as yet been had. 5. "An act relating to county rates and levies," which became a law April 15, 1834. 6. "An act for the regulation of the militia of this commonwealth," upon which the legislature has not as yet acted. The subject indeed presents intrinsic difficulties. The constitutional obligation of the state to maintain the organization of the militia cannot be questioned. The commissioners however have expressed the opinion, that a just construction of the constitution of the United States does not require that the militia should be *trained*; and they agree in the sentiment so generally expressed by the community at large, that the *trainings*, so far from effecting their object, which is the discipline of the militia, are productive of the worst consequences to the industrious habits and good order of society. Their plan in brief is to abolish the trainings, but to give authority to the governor, whenever the state of public affairs may render it necessary during the recess of the legislature, to direct their resumption.

The fifth report of the commissioners is dated March 20, 1834, and comprises two bills. 1. "An act relating to inspections," passed April 15, 1835. 2. "An act relating to elections," which has not as yet been acted on. It consists mainly of former acts properly digested and arranged.

By far the most interesting and important of these reports is the sixth in order, bearing date January 9, 1835, upon the administration of justice. It was prepared in especial conformity with that part of the resolutions under which the commissioners acted, which directed them "to report whether it would be expedient to introduce any, and if any, what change in the forms and modes of proceedings in the administration of the laws." The report itself is well and learnedly written, and

occupies, with the accompanying bill and remarks, two hundred and forty-nine closely printed octavo pages. The commissioners certainly have not exaggerated the arduous, and it may be added, perilous character of this portion of their prescribed duties. Justice itself is most intimately connected with the mode of its administration. It is no less a principle of common sense than of universal law, that every right should have an appropriate remedy, and a remedy calculated in the most effectual manner to enforce its observance. "In reference to the order, convenience and peace of the community," as the commissioners say, "it is second to none in the catalogue of legislative duties. Upon the due administration of civil justice, that is, upon the expeditious, impartial and economical determination of questions concerning individual interests, depends, we may be permitted to remark, a large portion of the stock of individual prosperity and happiness; and with it we may add a large measure of the attachment of the people to their institutions. In every country, therefore, the task of revising the laws which concern the administration of justice, of clearing obstructed channels, opening new passages, in short, of facilitating the flow of justice to all quarters, and for all conditions of people, must be considered as of primary importance." It is a department, therefore, which assuredly demands extreme caution in the adoption of proposed reform. Where forms have become familiar and the results well understood, they ought to be retained, although they may not present the symmetry of a perfect system. The necessity should be imperative to sanction a radical change. When a fundamental principle of the law of actions is affected, the results are generally found to be much wider than at first supposed. The thirteenth section of the act of 21st March, 1806, produced many consequences that certainly could not have been foreseen; so much so, that the course of decisions upon the construction of that law is a curiosity. The substance of the enactment was a repeal of the well settled principle of the existing remedial law, that where a statute superadded a remedy in affirmative words to one already existing, it should be cumulative, and the party should still, if he preferred, prosecute his right in the common law form. Certainly up to about the year 1829, it had been uniformly held to be applicable only to penalties and criminal proceedings; as that where an act of assembly inflicted a pecuniary penalty for an offence, which was such at common law, the offender should not be subjected to the fine and imprisonment which are the consequences of a proceeding by indictment. "I am entirely persuaded," said Judge Duncan in 1820, delivering the opinion of the supreme court in a case in which the correct construction of the law was directly involved, "that the

legislature had in view penalties and actions for penalties on penal statutes and cases where, by the common law, certain acts were indictable for the punishment of which our acts of assembly had prescribed or might prescribe particular penalties and another course of proceeding, and such have been the decisions." (Rees v. Emerick, 6 S. & R. 289.) Indeed, no less than eight cases might be cited in which this doctrine has been either expressly or implicitly recognised. However, Mr. Chief Justice Gibson has attributed this construction to the reluctance with which the courts executed laws that were at one time supposed to be aimed at the profession. "Its terms," says he, "are broad and sweeping, and it is part of an act which has entirely changed the forms of proceedings in debt, assumpsit, and ejectment. Of its object, those who remember the temper of the times can best judge. But whatever may have been the reluctance of the courts then, we cannot refuse now to execute the plain mandate of the legislature." (Wike v. Lightner, 1 Rawle, 290.) It was accordingly held in that and some half a dozen other cases following close upon its heels, that the provision of the section of the act referred to, extended as well to civil as to penal and criminal proceedings. In all this and what follows, it is of course to be understood that no fault is found with the judges, either individually or collectively, for the soundness of their opinion, which we do not mean to examine, or the purity of their motives, which is unquestionable. It was their duty to execute what they conceived to be the "plain mandate of the legislature." But the blame is to be laid upon the body which passed so hasty, inconsiderate and ill-tempered a law. By the act in its wide extent, under the new construction, a large proportion of every day proceedings and judgments would be shaken. "The action against an endorser," says Judge Huston, "may be, perhaps ought to be, *debt* under the present law of the state." (Roop v. Brubacker, 1 Rawle, 309.) And again, in the same case, "Debt is the only action on a book account." There is an act of assembly which provides a remedy to enforce or foreclose a mortgage by a *scire facias* and a judicial sale of the premises mortgaged. The judges have nevertheless decided, since the new construction, that the common law remedy by ejectment still lies; but have never gone fully into the reasons of this decision, although they are reported to have said in the last printed case, (Knaub v. Esseck, 2 Watts, 282,) "that the act which provides a *scire facias* gives no remedy, where the object is not to turn the land into money"—a reason that will hardly stand the test of examination in consistency with the spirit of the later determinations; and, if it be the only one, afforded Judge Huston very good ground to say as he has done, "An ejectment can be brought

by the mortgagee. This has been decided, and I am sorry for it. It is in the face of the spirit of the act of 1705, and of the letter, and spirit both, of the act of 21st March, 1806." (3 Rawle, 160.)

Such is the history of about five lines in an act of assembly, passed with the benevolent object of simplifying the forms of proceeding, making every man his own lawyer *and lessening the amount of litigation*. It is but a short chapter in the history of the legislation of that and a few succeeding years, which would afford throughout the most conclusive, though melancholy illustrations of the necessity of exercising extreme caution in attempting radical changes in the forms of legal proceedings.

Apart from the intrinsic difficulty of the subject, there are peculiarities in the Pennsylvanian system of jurisprudence, which added considerably to the embarrassment of the commissioners. The absence of a separate court of equity, and of chancery remedies, except where they may have been specifically granted, either by the constitution or by act of assembly, at the same time the amalgamation of equitable principles with the common law in the administration of justice in the ordinary courts, and the constant and powerful struggle both on the part of the bench and the bar to adapt these principles of equity to the common law forms, were so many causes of complexity. "Local peculiarities," in the words of the report, "which cannot be melted down; the constitution of our courts, which has been often changed, and has rarely been adapted to the suitable exercise of all necessary powers; the jurisdiction of justices of the peace to try civil actions; certain legislative reforms already alluded to, enacted with the benevolent view of lessening the amount of litigation, and enabling all persons to act for themselves in the pursuit and application of remedies, but which it is believed have not produced the expected result." Besides all this, the number of the courts and the variety in the different counties in the modes of proceeding, produced necessarily by difference of circumstances between the more or less populous parts, and the apparent improbability of being able to render any general provisions equally convenient and adapted to them all, was another element in the difficulty of the work. That the result of their reflections should be entirely satisfactory to all was not to be expected. It is certainly, however, matter of congratulation; that they appear to have been deeply impressed with the perilous character of the ground upon which they were treading—that they tremble in touching the ark of justice, even when their interference seems most loudly demanded—and that they act upon the wise and cautious principle that it will be safer to mould the forms and modes of proceedings at present in use, in order to effectuate the intention of the legis-

lature, than to adopt a system altogether new and untried, however beautiful it may appear in theory.

This report comprises three bills :

I. "An act relative to the jurisdiction and powers of the courts."

The most important part of this bill is the fourteenth section, which is as follows :

"The supreme court, and the several courts of common pleas, shall have the jurisdiction and powers of a court of chancery so far as relates to,

"1. The perpetuation of testimony :

"2. The obtaining of evidence from places not within the state :

"3. The care of the persons and estates of those who are *non compos mentis* :

"4. The control, removal and discharge of trustees, and the appointment of trustees and the settlement of their accounts :

"5. The supervision and control of *all corporations*, other than those of a municipal character, and unincorporated societies or associations and partnerships :

"6. The care of trust moneys and property, and other moneys and property, made liable to the control of the said courts :

"7. The discovery of facts material to a just determination of issues and other questions, arising or depending in the said courts :

"8. The determination of rights to property or money claimed by two or more persons, and in the hands or possession of a person claiming no right of property therein :

"9. The prevention or restraint of the commission or continuance of acts contrary to law, and prejudicial to the interests of the community or the rights of individuals :

"10. The affording specific relief, where a recovery in damages would be an inadequate remedy :

"And in such other cases, as the said courts have heretofore possessed such jurisdiction and powers, under the constitution and laws of this commonwealth.

"And in every case in which any court as aforesaid shall exercise any of the powers of a court of chancery, the same shall be exercised according to the practice in equity prescribed or adopted by the supreme court of the United States ; unless it be otherwise provided by act of assembly, or the same shall be altered by the supreme court of this commonwealth, by general rules and regulations made and published as is hereinbefore provided."

The want of these powers has been long felt by the courts. They have often been compelled in consequence to confess themselves unable to render complete justice to the suitor. With the powers which this section proposes to give, there will hereafter exist no just ground of complaint.

Lord Bacon has thrown the weight of his decided opinion in favour of the separation of the courts of law and equity. "Apud nonnullos receptum est, ut jurisdictio, quæ decernit secundum æquum et bonum, atque illa altera, quæ procedit secundum jus strictum, iisdem curiis deputentur: apud alios

autem, ut diversis. Omnino placet curiarum separatio. Neque enim servabitur distinctio casuum, si fiat commixtio jurisdictionum: sed arbitrium legem tandem trahet.”—It is supposed that the system would be found to work better in separate courts, because the judge would then always know the precise nature of his powers, whether as a law or equity judge, and would not be subjected to the embarrassment arising from the intermingling (commixtio) of the two jurisdictions in his own person. Lord Bacon appears also to fear that equity would swallow up the law. But in his time the same definite ideas of the character and extent of equity powers were not entertained as now. The question, however, is one upon which eminent jurists have differed. A judge of the supreme court of Pennsylvania has said, speaking of the mixed jurisdiction of the courts: “I do not consider it a defect in our judicial system—nay, if the power of granting injunctions, of sustaining a bill for discovery and of directing specific performance, at the same time imposing proper terms on the other party, were granted to our courts, I would say our system is preferable to that of England, or of those states where the two courts are kept distinct.” The commissioners have devoted a few pages to an examination of this question, and have come to the conclusion that it will be safest to retain this mixed jurisdiction, and that the same course ought to be pursued with respect to the *residuum* of equity powers proposed to be granted, “that is, to give the necessary relief whenever it can be done by the convenient application of some familiar common law remedy, or by the revival of some one that has become obsolete, and whenever full and complete relief cannot be obtained by such process, to resort, without hesitation, to the methods of the chancery courts, and employ them, either as we find them or in a modified shape, as we have done heretofore, in useful and harmonious co-operation with those of the law.”

The four first items in the proposed grant of chancery powers are not new, but have been long possessed and exercised by the courts, either directly under the authority of the constitution, or by virtue of various acts of assembly in modes much conformed to the practice of the court of chancery.

The fifth and sixth items have never been possessed, and the absence of them has been deeply felt in Philadelphia, and must be so in every commercial city. That portion of the jurisdiction of the chancellor, which he exercises over corporations, unincorporated bodies and partnerships, is of the most beneficial character. By common law process their mismanagement cannot be reached till the mischief be done, and in most instances irreparably done. Let us take the instance of an ordinary mercantile partnership. The association is formed,

with or without written articles, either indefinitely or for a limited period. One of the partners misbehaves and pursues a course of conduct which threatens to involve the whole firm in ruin. He possesses singly, by virtue of his general authority as partner, the power of binding his associates to any amount. He raises money on their credit, or with their joint property, for his own private purposes. The most under the present system that can be done, is to circulate and publish a dissolution of the firm. But the defaulting partner, as often happens, has possession of the joint effects. They cannot be recovered from his possession at law. He has as good a *legal* right to the possession as the others. They may sue in account render, or for damages for the breach of the original articles. A suit at law is at best tedious. No security can be had but for his personal appearance to answer the final judgment. In the mean time, he may waste or dispose of the goods, and spend the money or pay his own private debts with it. On the other hand, a court of chancery will interfere in the very first instance, and restrain a partner from accepting or negotiating bills of exchange, or from engaging in other transactions, for or in the name of the partnership, except for partnership purposes. And it will likewise interfere when a breach of any of the covenants contained in the articles of partnership has been committed, if the breach be so important in its consequences as to authorize the party complaining to call for a dissolution of the partnership. If a dissolution be decreed, the course adopted is for the court to appoint a receiver, who immediately takes possession of all the joint effects, collects the outstanding credits, disposes of the property to the best advantage, and brings the whole into court, where, under the control and supervision of the chancellor, it is equitably distributed among creditors and partners, according to their respective rights. The contrast shows too strongly the advantages to result from the discreet exercise of the proposed power to need any comment. It is still more imperatively demanded in the case of corporations and unincorporated societies, which are springing up in numbers around us. The mismanagement of their funds may proceed to an indefinite length, to the utter ruin of hundreds of the worthy and laborious poor, who confide their hard earnings to their care, unless there be a hand strong enough to hold them by a tightened rein. "What is wanting," say the commissioners, "is authority to restrain their proceedings, when the continuance of them would be prejudicial to the interests of the creditors, or of the members; to appoint receivers to take charge of the funds and protect them from misapplication; and to distribute their assets among creditors according to

the rules established in the case of the insolvency of individuals." It is not however meant by the commissioners to give any court that extensive and ill-defined jurisdiction possessed by the lord chancellor of England over the direction of charities, when either corporations or others are entrusted with their administration. As this jurisdiction is and has been long exercised, it is certainly monstrous. On the principle, that where the intention of the charitable donor is illegal or impossible to be carried into effect, it should be accomplished as near as may be, the strangest perversion of funds from their original object has taken place. The sound rule in such cases appears to be, that where the general objects of the testator's bounty are clear, and the mode prescribed of carrying them into effect, plainly appearing to be but subordinate and secondary, should on any account be impossible, there the general object shall still be attained in the mode which comes nearest to his mind as it can be ascertained; but that in other cases, and where it is at all doubtful whether the course intended to be pursued would fall within his general and primary intention, that there the fund should lapse for the benefit of the heirs or residuary legatees. The commissioners have wisely left the subject upon the footing on which it at present stands, without any proposed alteration, giving it however as their opinion, that no court in Pennsylvania possesses the power of interfering *a priori*, and directing the application of trust funds, although their general control over trustees and trust property already or proposed to be conferred, will come sufficiently near such a power for all beneficial purposes.

As to the seventh item—the discovery of facts, &c., we will let the commissioners speak for themselves.

"It has already been shown, that the power of compelling a discovery from parties, has been given to our courts: 1. In the case of *garnishees* in foreign attachment: 2. In the case of *lost deeds*: 3. In the case of *stock* held in a corporate body, in the name of a third person: 4. In the case of the accounts of *assignees*: 5. In the case of suits against *corporations* to discover their property. To which may be added, 6. The power of compelling the production of books and papers, given by the act of 1798: 7. In the *Orphans'* court, the power of compelling answers in the case of executors, administrators, and guardians. And analogous to this, is the power of requiring answers upon oath by persons applying for the benefit of the insolvent laws.

"It remains to be considered whether this power ought to be enlarged, so as to embrace the whole sphere of litigation; namely, to compel discovery in all cases from parties to a suit, when, by the rules of equity, they may be required to answer. We think that there is no substantial reason in the way of our adoption of this practice.

"The march of justice is often interrupted and sometimes defeated in our courts, for want of this important aid; and although there is alleged to be danger of perjury, we think that the experience of the courts of equity proves that this is very small.

"Under the restrictions, and with the exceptions with which it is exercised in the English chancery, we cannot but think that it will be found a very useful addition to the means possessed by our courts of doing justice, and therefore that it is proper to introduce it into our system.

"The commissioners appointed by the British government to enquire into the practice of the courts of common law, have proposed to give those courts power to examine the parties in all cases upon interrogatories as an equivalent to the bill of discovery. It is our intention to submit a bill providing for means of compelling disclosure by one of these methods."

The eighth item relates to the determination of claims to property in the possession of a person pretending no interest. This is effected through the operation of a bill of interpleader, "which lies in every case in which a person is in the situation of a depository or a stakeholder, and, by a very simple method of proceeding, relieves him from further responsibility on his bringing the money or property into court."

The ninth item provides for the prevention or restraint of injuries. Upon this head the commissioners say:

"It is here that the powers of the courts of equity appear to possess a decided superiority over those of the courts of common law, and that instances most frequently occur of defects in our administration of justice. The principal cases in which the court interferes by its writ of injunction to prevent or restrain the commission of acts injurious to others, are—1. In case of *nuisances*: 2. In case of *trespass*: 3. In case of *waste*.

"In all these cases the power is most important and valuable. Indeed no system of justice can be considered to be complete without the means of prevention and restraint. In the case of *waste* our courts have been invested with powers to the fullest extent, and there appears no reason why they should not be extended to the other cases mentioned. It will be seen that in the bill relating to estrepement we have suggested a method of restraining the commission of trespass on lands in certain cases."

The tenth item respects affording specific relief where a recovery in damages would be an inadequate remedy. When the contract is for the delivery of a chattel, the action of replevin which has been extended in this state to all cases where one man claims property in goods which are in the possession of another, and is not confined, as it is in England, to the case of an unlawful taking, the peculiar nature of this remedy, which lays hold on the thing itself, and gives the plaintiff either the possession or security for its forthcoming to the amount of its value, appears to answer all the purposes of a chancery proceeding.

With respect to land, the action of ejectment has always been an equitable remedy, and not only may land be recovered upon an equitable title, upon the principle that our courts will consider as already done whatever a chancellor would decree to be done, but the same result may be often attained in an action

upon the contract of sale through the medium of a conditional verdict. By the annexation of the general chancery power "it is not intended," say the commissioners, "to dispense with the accustomed proceeding by ejectment, but merely to increase the number of remedies designed to supply the place of the bill for specific performance."

The next bill reported by the commissioners, is entitled "An act relating to the commencement of action." Full as it and the subsequent reports and bills are of provisions of great practical importance, we must content ourselves with enumerating them without a consideration of their details.

The seventh report is dated March 28, 1835, and comprises four bills, none of which have been acted upon. 1. "An act relating to lunatics and habitual drunkards." 2. "An act relating to assignees for the benefit of creditors, and other trustees." 3. "An act relating to domestic attachment." 4. "An act relating to writs of quo warranto and mandamus."

The eighth, or as it may be termed supplemental report, (for it was made after the last extension of time allowed the commissioners had expired,) is dated January 4, 1836, and is accompanied by seven bills. 1. "An act relating to the liens of mechanics, and others upon buildings." 2. "An act relating to the attachment of vessels." 3. "An act relating to bonds with penalties, and official bonds." 4. "An act relating to the action of replevin." 5. "An act relating to reference and arbitration." 6. "An act relating to executions." 7. "An act relating to insolvent debtors."

The commissioners, also, during the session of 1833—4, made a special report on the subject of the law in relation to factors—and their accompanying bill was passed April 14, 1834.

Notwithstanding the expiration of their term of office without a renewal, the commissioners in their last report say: "Should the legislature desire it, we shall feel great pleasure in laying before them at such intervals as our duties and business will admit, the result of our labours upon the remaining portion of the civil code."

Though in a detailed review of the revised code, some particulars might be enumerated, in which the commissioners appear to have lost sight of the just and cautious principles with which they set out, yet on the whole, there is every reason to be satisfied. Pennsylvanian jurisprudence has received an improvement from their labours and suggestions which will long be felt, and it is hoped acknowledged. Indeed nothing else could have been expected from the character of the gentlemen composing the commission. Of the living perhaps it would be unbecoming to speak as we might feel inclined. Not so, however, of the venerable head of the commission, upon

whose life death has now placed its seal. For more than half a century, he had been practically engaged in the administration of the law, and a close observer of the legal polity of Pennsylvania. To the opportunities afforded during that period by a very extensive practice—by intimate personal intercourse with the distinguished men, *quorum pars magna fuit*, who laid the foundations and reared the superstructure of the juridical system, during what may be termed the Augustan age of the bar of the state—he united extensive reading, profound and cautious study, habits of industry and research early acquired, and a sound and vigorous judgment. Belonging to the older school, and with experience and qualifications such as have been adverted to,—that he should have viewed sudden and radical revolutions with distrust, and imparted a cautious spirit to the labours of his associates as well as his own, was naturally to be expected—and the disappointments which may at times be experienced at the exhibition of a contrary principle, are far more than overbalanced by the many causes of felicitation which arise from this source.

ART. IX.—1. *Miscellaneous Sonnets.* 2. *Sonnets dedicated to Liberty.* 3. *Ecclesiastical Sketches.* 4. *The River Duddon; a series of Sonnets.* 5. *Sonnets in the volume entitled "Yarrow Revisited, and other Poems."* By WILLIAM WORDSWORTH. *The Poetical Works of William Wordsworth, complete in 1 vol. 8vo. Philadelphia, 1836.*

It is matter of familiar observation, that the success of literary productions is sensibly dependent on the forms in which they are presented. In the domain of English poetry, there is a section to which we think justice has not been done: its quality is not held in very high repute, and the title to it is regarded as somewhat doubtful. We refer to that form of metrical composition which is denominated the sonnet. To prove that it has not found favour always even in the eyes of those who have cultivated a taste for other forms of poetry, we would venture to ask them whether, when they have met with its modest structure, they have not generally passed it carelessly by. Beside, in the minds of those who do not entirely neglect it, there may be detected a peculiar feeling, aptly to be described as unkindly; they regard it not with the look that a man gives to his own kin and countrymen, but with that which is cast

coldly and doubtingly upon a stranger or foreigner. While the sonnet is read, an *un-English* feeling is found to be creeping about the heart, and the fancy is filled unconsciously with thoughts of Petrarch, and images of Laura and the Vaucluse. While its melody is falling on the ear, we are too often overtaken with a kind of misgiving that we are listening to the rich music of indeed our own mother tongue, but tuned to a strange note—that we hear its glorious words uttered through a foreign instrument. This is not as it should be. The muse of England should not stand a suppliant or a vassal any where. She holds in her own right, or she holds not at all. So far as literature is concerned, we are, by our calling, guardsmen of English rights and English merits ; and as the form of poetry in question seems to be regarded as not having yet worked out its independence, it is our present purpose to undertake its vindication. We proclaim at the outset that we acknowledge no allegiance—we own no homage—to the Italian. Our literary territory is held absolutely, or it had better be relinquished entirely. There is too much Saxon blood in our veins to bide content on a divided soil or under a feudal tenure. It may be shown that the sonnet is a form of poetry fairly introduced into the literature of England, fully sustained, and now, without reserve or qualification, by the law of letters it is our own. We propose therefore to say a word, and if need be to strike a blow, for our English title and our English fame in this province of poesy.

Before advancing further, the looseness in the acceptation of the term “sonnet,” in consequence of its application to several different forms of poetry, demands some attempt to ascertain its true use or at least to give it some precision. The most obvious property, which is common to the sonnets of all countries, is its limitation to fourteen lines. With the exception of some of the earliest English sonnets, and those of not much merit, which extended to eighteen lines, this may be said to be universally true. It is composed of four parts, two quatrains and two tercines, which are usually indicated by the typography in the foreign sonnets but not in the English. Rhyme is also an essential property, and it is to it that the different varieties of the sonnet have reference : the lines are of equal length and the measure iambic. The form which is considered as especially entitled to the name, is that which is framed after the Italian sonnet—the Petrarchan model. In this the rhymes are repeated at certain intervals so as to produce a recurrence of the same closing sound, and it is this property which seems to suggest the origin of the name itself. The arrangement is such, that in fourteen lines there are but five, and sometimes not more than four, several rhymes. We are fearful of making ourselves dis-

agreeable by the technicalities of prosody. By means of a specimen, we may accomplish our wish of conveying an idea of the general structure of this variety of the sonnet much better and certainly more agreeably. In quoting with this view Mr. Wordsworth's sonnet composed upon Westminster Bridge, we did not intend to be diverted from the mere consideration of its metrical character. We cannot however refrain from asking the reader to recall his feelings when he has happened to pass along the streets of a city yet in its slumbers, and unless our own deceive us, he will find, we think, an echo to them in the following specimen of the metre of the sonnet :

“Earth has not any thing to show more fair :
Dull would he be of soul who could pass by
A sight so touching in its majesty :
This city now doth like a garment wear
The beauty of the morning ; silent, bare,
Ships, towers, domes, theatres and temples lie
Open unto the fields, and to the sky ;
All bright and glittering in the smokeless air.
Never did sun more beautifully steep
In his first splendour, valley, rock, or hill ;
Ne'er saw I, never felt, a calm so deep !
The river glideth at his own sweet will :
Dear God ! the very houses seem asleep ;
And all that mighty heart is lying still !”

In this form the poem is cast by those who have implicitly revered the ancient landmarks. It is the most usual form of the Spanish and Portuguese, as well as the Italian sonnet. The English poets, with Shakspeare as a leader, have with a characteristic temper claimed greater freedom. This appears in several different structures of the poem, in which the variety is effected in some by a different distribution of the rhymes, and in others by increasing the number of them to six and seven, but not attaching them throughout to consecutive lines. The following, selected from the same poet in order to avoid distracting attention to other points of comparison, may serve as specimens of some of these varieties :

“The shepherd, looking eastward, softly said
‘Bright is thy veil, O moon, as thou art bright !’
Forthwith that little cloud, in ether spread,
And penetrated all with tender light,
She cast away, and showed her fulgent head
Uncovered ;—dazzling the beholder’s sight
As if to vindicate her beauty’s right,
Her beauty thoughtlessly disparaged.
Meanwhile that veil removed or thrown aside,
Went floating from her, darkening as it went :
And a huge mass, to bury or to hide,
Approached this glory of the firmament ;

Who meekly yields and is obscured ;—content
With one calm triumph of a modest pride.”

The following specimen may be noticed, by the way, as presenting a striking instance of the combined action of reflective and imaginative power.

“In my mind’s eye a temple, like a cloud,
Slowly surmounting some invidious hill,
Rose out of darkness : the bright work stood still
And might of its own beauty have been proud,
But it was fashioned and to God was vowed
By virtues that diffused, in every part
Spirit divine through forms of human art :
Faith had her arch—her arch, when winds blow loud,
Into the consciousness of safety thrilled ;
And Love her towers of dread foundation laid
Under the grave of things : Hope had her spire .
Star-high, and pointing still to something higher.
Trembling I gazed, but heard a voice—it said
Hell gates are powerless phantoms where we build.”

The recently published volume of poems by Mr. Wordsworth contains a number of sonnets showing his talent in unabated vigour.

TO THE PLANET VENUS, AN EVENING STAR.

Composed at Loch-Lomond.

“Though joy attend thee orient at thy birth
Of dawn, it cheers the lofty spirit most
To watch thy course when day-light fled, from earth,
In the gray sky hath left his lingering ghost
Perplexed, as if between a splendour lost
And splendour slowly mustering. Since the sun,
The absolute, the world-absorbing one,
Relinquished half his empire to the host,
Emboldened by thy guidance, holy star,
Holy as princely, who that looks on thee,
Touching, as now, in thy humility
The mountain borders of this seat of care,
Can question that thy countenance is bright,
Celestial Power ! as much with love as light ?”

One word more on this subject of definition before we leave it. Some one perhaps may seek to resolve his doubts on the acceptation of the term “sonnet,” by that innocent-hearted method of looking into the dictionary. In the folio edition of Johnson’s, he will find the following definition : “*Sonnet*, a short poem consisting of fourteen lines, of which the rhymes are adjusted by a particular rule. It is not very suitable to the English language, and has not been used by any man of eminence since Milton.” And then, in evidence of the lexicographer’s conception of the character of the poem in question,

inserted at length is Milton's sonnet written on the detraction which followed his *Tetrachordon* and other of his prose treatises. It was a piece of scoff at his political foes, and the humour of it, such as it is, seems to consist in the introduction of as many rugged proper names as the poet could manage in the space of fourteen metrical lines. The smile of the great republican poet, at least as far as we trace it in his prose writings, was certainly not his most agreeable expression; it was ten times tinctured with bitterness. If Dr. Johnson meant, as no doubt he did if he had any meaning, to cite that sonnet as a fair specimen, it either evinces a lamentable want of taste, or is additional proof how completely his vision was sealed to the wealth of the best periods of English poetry. The definition which succeeds to the above has caught our eye: "*Sonnetteer*, a small poet; in contempt." Let us see who they are. To say nothing of a worthy train of early poets, who were small only by comparison with their great cotemporaries, the sonnet was a favourite form of composition with each one of that glorious triumvirate, who kindled the flame of poetry higher than ever since the creation it flamed by mere human kindling, and kept it burning at its brightest for a century: EDMUND SPENSER—WILLIAM SHAKSPEARE—JOHN MILTON—sonnetteers all—"small poets, in contempt!" Samuel Johnson! in charity we are bound to hope that you are forgiven, but verily we have our fears.

Our principal object thus far has been merely to illustrate what form of English poetry it is, which is designated by the name of the sonnet, and incidentally to call attention to the true conception and exquisite finish of the specimens, selected with no very great pains, from the pages of a living poet. Let it now be distinctly understood that we do not of course claim for England the invention of the sonnet. It had its birth under a southern sky. Whether Italian or Provençal in its origin would not be pertinent for us at present to discuss. Its date is anterior to Petrarch, though from the fact that it was more developed and rendered more popular by him, it is identified so intimately with his name. There is a theory suggested by Ginguéné or Sismondi, if we recollect rightly, which traces to the poetry of the Arabs the fashion of continuing and intermingling the metrical sounds in their verses. Now this is one of the distinguishing features of the sonnet; and the use of rhyme, which is another, is a Gothic fashion, a northern barbarism as it was regarded by all who, like old Roger Ascham, fed in their hearts the hope of living to see their vernacular dialects set to the tune of hexameters. May it not be, then, that the wealth of several different quarters of the globe was laid under contribution to be coined in the diminutive mould of the sonnet?

It would be a singular boast for any thing so humble and unassuming. It is easy we are aware to weave theories, and upon this subject to extract much plausibility from the fact of the singular fusing of the European and Saracenic races together in the south of Europe, during a part of the middle ages. History presents, probably, no more extraordinary instance of the kind than the intermingling of three distinct races in a very limited territory at the time of the Norman establishment in Sicily; there was the remnant of the old Sicilian race—their conquerors, the Arabs—and the final victor, the Norman. Well might their music blend together, where they were girt in by the ocean in this little plot. In all diffidence we offer our fancy—we will not dignify it with the title of theory—that one graft was brought by the Arab from the East, and another from the region of the Goth, and that these grew into one growth under the genial influence of an Italian or Sicilian sun.

How is a nation's claim to any form of composition, whether metrical or not, to be established? Not, we contend, by discovery or pre-occupation. Parnassus is as free and illimitable as the ocean or the wind. If there be any method of taking a ceremonious possession, as territory is acquired by planting a standard or erecting a pile of stones, we have yet to learn what it is. It would not be more presumptuous and irrational to attempt to check the free current of a breeze that has wafted over Italy, than to contend that a certain arrangement of poetic melodies first uttered there must therefore remain Italian to the end of time. The domain of letters is no more susceptible of private exclusive dominion, than is the open sea. If there should be perceived a disposition on the one hand to assert, and on the other to yield to such a claim, it would be time for some one, invoking the spirit of old Grotius to his aid, to compile a *Helicon Liberum*. What would it be but reviving the principle of the old Portuguese claim? Petrarch, like De Gama, may have all the fame of discovery, but we yield nothing of long maintained possession and of present title. We claim our ancient English rights of sailing on the wide sea wherever the winds may carry us, and of tuning our language to any note to which it will answer.

Any form of writing, no matter how artificial in its structure, or how remote in its origin, may be naturalized into a language, if it is adapted to the character of that language, and if writers can be found who have shown this by actual experiment. In reference simply to origin, the sonnet is an exotic, but so is the epic or the ode. We cheerfully admit as much in one case as in the other, but nothing more; and this admission is but equivalent to the acknowledgment that Homer came into the world before Milton, Pindar before Dryden and

Gray, and Petrarch before Surrey. A seed from this southern plant has been sown in the soil of English literature, and, exposed to all the inclemency of a northern climate, it has been followed by a growth as vigorous and flourishing as the parent stock. What we take exception to, is the propensity still to regard it as an unnatural transplantation, or a forced and artificial growth. When we dwell with an exulting national pride upon the pages of the *Paradise Lost*, our own English epic—we are never rebuked by being reminded of the claims of Homer. And when we read the English sonnet, able as we are to cite hundreds of them which would adorn the literature of any country, we cannot consent to stand always cap in hand to the shade of Petrarch. A brief reference to a few of the English sonnet writers of different periods will firmly establish our claim, and serve at the same time to correct the prejudices against the form itself.

The most obvious of these prejudices is directed against the narrow and precise limits of the sonnet. How, it is asked, can the free spirit of poetry breathe in such bondage—the certain bounds of fourteen lines, never to be passed over, yet always to be reached? How can fancy or imagination survive? If the sentiment be expansive or the imagery abundant, all must be cramped or curtailed. If, on the other hand, it can touch the reader's heart in an expression more brief, it must, notwithstanding, be stretched out to the standard. Such is the argument, and, as a matter of course, Procrustes' bed is usually rolled in by way of illustration. Richness of thought and fancy must be reduced, and poverty must be eked out. Now all of this, if true, is very objectionable, and that it is often true there is many a luckless sonnet on record to testify. But what does it prove? Not that the sonnet is an inappropriate form of poetry, but only that it is often employed upon subjects that are not adapted to it, and by writers who are unequal to it. The objection establishes nothing more than that there may be an incompetent poet or an injudicious selection of the topic—an objection surely not peculiar, but which would form an equally reasonable prejudice against the ode, the drama, or the epic. But the complaint does not stop here. One fault, it is alleged, leads to another, violations of literary propriety, like breaches of veracity, being of a very social tendency. Unnatural forms of expression are traced as a necessary consequence of an unnatural form of composition. The poet, unable, by reason of his artificial restraints, to give sufficient developement to his feeling or his imagery, finds himself obliged to produce his impression by resorting to points and antitheses, and all the devices of artificial expression. Hence, it is said, the conceits for which the Italian sonnet is signally noted, and which may

be observed also in no inconsiderable degree in so many of those of other nations. Again we might resist this attack by charging the fault upon the individual poet; it proves his weakness and nothing else. But we are willing to take the burden of proof upon ourselves. We maintain that these faults are not naturally or necessarily inherent in the sonnet; and how can the question be better settled than by reference to what has actually been accomplished by it? Let us conceive proposed as a topic for a sonnet, a vindication of the form of poetry itself, to be effected by an enumeration of the famed poets of various countries who have made use of it, with allusions to their general character, the prominent circumstances of their lives, and their several purposes in writing; this to be done adequately, without restraint or prolixity, in language at once poetical and natural, and with a strict regard to the requisitions of versification. The conception would be surely ample enough for a poem of fourteen lines, under peculiar metrical laws. Whether the sonnet be equal to it, may be best ascertained by the perusal of another of Mr. Wordsworth's, in which the reader will recognize the execution of the conception which we have just sketched in a very lifeless paraphrase:

“Scorn not the sonnet; critic, you have frowned,
Mindless of its just honours: with this key
Shakspeare unlocked his heart; the melody
Of this small lute gave ease to Petrarch's wound;
A thousand times this pipe did Tasso sound;
Camoens soothed with it an exile's grief:
The sonnet glittered a gay myrtle leaf
Amid the cypress with which Dante crowned
His visionary brow: a glow-worm lamp
It cheered mild Spenser, called from faery-land
To struggle through dark ways; and when a damp
Fell round the path of Milton, in his hand
The thing became a trumpet whence he blew
Soul-animating strains—alas, too few!”

What could be more finished, more perfect, whether you regard it for its mere fancy, or as a piece of eulogy or criticism? What more natural in the expression, more free from every thing like false effect; more varied in its harmonies—what melody could be sweeter than the fall of its close? Is there a word that could be taken away, or one that could be added? Well would it alone sustain the fine illustration, which has been given of Mr. Wordsworth's sonnets, and which is also in a great measure applicable to all the best sonnets in the language: “Mr. Wordsworth's sonnet never goes off, as it were, with a clap or repercussion at the close; but is thrown up like a rocket, breaks into light, and falls in a soft shower of brightness.” Another, very characteristic of his general manner, may serve

to show that a very simple sentiment, that of local association, may be gracefully amplified to the space of the sonnet, without any of the insipid dilution which distinguishes so many of them :

“ There is a little unpretending rill
Of limpid water, humbler far than aught
That ever among men or naiads sought
Notice or name ! It quivers down the hill,
Furrowing its shallow way with dubious will ;
Yet to my mind this scanty stream is brought
Oftener than Ganges or the Nile, a thought
Of private recollection sweet and still !
Months perish with their moons ; year treads on year ;
But, faithful Emma, thou with me canst say
That, while ten thousand pleasures disappear,
And flies their memory fast almost as they,
The immortal spirit of one happy day
Lingers beside that rill, in vision clear.”

We are tempted to add another sonnet, which has often struck us as a happy specimen of art—a singular instance of secondary description, illustrating clearly the frequent analogy between poetry and painting, or to describe it more philosophically, between fancy and the bodily eye ;

UPON THE SIGHT OF A BEAUTIFUL PICTURE, PAINTED BY SIR G. H. BEAUMONT, BART.

“ Praised be the art, whose subtle power could stay
Yon cloud, and fix it in that glorious shape ;
Nor would permit the thin smoke to escape,
Nor those bright sunbeams to forsake the day ;
Which stopped that band of travellers on their way,
Ere they were lost within the shady wood ;
And showed the bark upon the glassy flood
For ever anchored in her sheltering bay.
Soul-soothing art ! which morning, noon-tide, even,
Do serve with all their changeful pageantry ;
Thou, with ambition modest yet sublime,
Here, for the sight of mortal man, hast given
To one brief moment caught from fleeting time
The appropriate calm of blest eternity.”

There is also great merit in the following as a piece of landscape description, illuminated with a very rich moral light, the imagery of the closing lines especially evincing admirable taste :

A PARSONAGE IN OXFORDSHIRE.

“ Where holy ground begins, unhallowed ends,
Is marked by no distinguishable line ;
The turf unites, the pathways intertwine ;
And, wheresoe'er the stealing footstep tends,
Garden, and that domain where kindred, friends,

And neighbours rest together, here confound
Their several features, mingled like the sound
Of many waters, or as evening blends
With shady night. Soft airs from shrub and flower,
Waft fragrant greetings to each silent grave;
And while those lofty poplars gently wave
Their tops, between them comes and goes a sky
Bright as the glimpses of eternity,
To saints accorded in their mortal hour.

The complaint of the narrowness of the limits of the sonnet, appears to us, we must be allowed to add, indicative more of the character of the mind of him who makes it, than of any thing else. Writers vary wonderfully in the room they require: some can breathe freely in no space narrower than a modern state paper, while others, bless them! are more considerate. The former are not the men to write sonnets; we commend them to the epic. But is there not in this craving for space something that does not accord very well with true poetic temperament? If a writer be indeed worthy of his calling, if he do indeed belong to that creative class, who make the world they inhabit, what need has he of calling for more ground? Is it not enough that he has a spot to rise from? The peak of a broken crag, or the point of a blasted branch, would be sorry quarters indeed for a bear or a buffalo, but the majesty of the eagle claims no wider sovereignty for his footing, when he is springing from the earth to bathe his wings in the floods of the sun. Or, when the lark soars, like a sick man's hope, to meet the coming dawn, the home he leaves is wrapt in the little circumference of a tuft of grass. To these the spirit of true poetry is kindred. The insatiate demand for room is the symptom of a restless and licentious intellect—of feelings undisciplined. If we should hear it from the lips of one in whom we could discern a trace of poetic promise, we would address him in the language of affectionate entreaty: Get thee to thy study, and there seeking the writings of those who adorned our literature in that happy age, when authors had not yet become part of a printer's stock in trade, when men wrote from the fullness of the heart and not the emptiness of the purse, and communing with their pages, chasten thine own heart. There are doubtless many who are unable, and many who are unwilling, to brook the restraints of the sonnet; but that proves only that there are many faint-hearted and many false-hearted poets. All that we contend for is, that the difficulty, the existence of which we freely admit, is not insuperable; that there is no quality of poetry which may not be brought within its bounds. When a poet repudiates it, he is the unconscious witness to convict himself of a licentiousness, which he mis-

takes for the indignant spirit of true freedom. But again let the sonnet speak its own vindication:

“Nuns fret not at their convents’ narrow room;
And hermits are contented with their cells;
And students with their pensive citadels:
Maids at the wheel, the weaver at his loom,
Sit blithe and happy; bees that soar for bloom,
High as the highest peak of Furness Fells,
Will murmur by the hour in foxglove bells:
In truth, the prison, unto which we doom
Ourselves, no prison is: and hence to me
In sundry moods, ’t was pastime to be bound
Within the sonnet’s scanty plot of ground:
Pleased if some souls (for such there needs must be)
Who have felt the weight of too much liberty,
Should find brief solace there, as I have found.”

It is to the narrow bounds of the sonnet that we may safely ascribe its frequent want of popularity, and the countless failures of many who have attempted it. For its most perfect conception and execution, it demands, we have little hesitation in saying, powers as great and varied as the epic itself. In addition to the qualifications for the usual forms of poetry, the poet must bring to the sonnet a profound judgment and a command of language that never fails: his power for condensation of thought must be irresistible; he must possess that suggestive talent in writing, by no means a common one, by which the reader may be set upon trains of thought or feeling. His heart must be under equal discipline. On the part of the reader, too, much is required. There is, as we all know, one state of mind for prose, and another for poetry. The former may correspond with many of the states of feeling in which men happen to be; the latter differs essentially from most of them. It varies with the constitution; it may be felt in different degrees at different times; often it requires a process of preparation. It was one of Charles Lamb’s observations—deep dyed as they all were in truth and the tints of his own peculiar humour—that “Milton almost requires a solemn service of music to be played before you enter upon him. But he brings his music, to which who listens had need bring docile thoughts and purged ears.” It was a fine philosophical thought, entitled to more consideration, as coming from one whose heart, if ever the heart of man was, was in a state of perpetual susceptibility to all that is true and beautiful in nature. Now this process of preparation is usually part of the poet’s own work; much of every poem of any length may be devoted to the mere purpose of elevating the reader’s feelings to the required pitch: the world is too much with us, for us to dispense with the poet’s chastening. But the brevity of the sonnet precludes it. The consequence is, that the reader,

perusing it with feelings not sympathetic or not susceptible enough, may, with great injustice, impute to the poem a want of impression, which really is the result only of his own mood. Every reflective reader of poetry must have noticed how differently he has been affected at different times by the same piece. The sonnet, therefore, while it requires a writer of peculiar ability, needs a reader of somewhat more than ordinary reading capabilities. These are causes abundantly sufficient to account for frequent failures in sonnet-writing, and frequent want of popularity when successful. But we greatly err, if the sonnet be not a favourite abiding-place for him, who, whether as a writer or a reader, joins to an intellect well disciplined a heart nursed in the spirit of genuine freedom. His feelings will be congenial with those of the gallant cavalier, who kept the liberty of his soul unbroken by the durance of his body, and in answer to the reproach of restraint we can fancy him breaking out in the same exulting strains,

“Th’ enlarged windes, that curle the flood
 Know no such libertie.
 Stone walls do not a prison make
 Nor iron barres a cage;
 Mindes, innocent and quiet, take
 That for an hermitage:
 If I have freedom in my love
 And in my soul am free,
 Angels alone, that soare above,
 Enjoy such libertie.” *Lovelace, 1642.*

If further proof be required of the capabilities of the sonnet, an argument of no mean authority may be found in the fact that it was not too narrow for the spirit of Shakspeare. If any one still believes that the loftiest poetic temperament should not brook its bondage, let him stand up and say so after reading the following, one of the least neglected, perhaps, of the collection of Shakspeare's sonnets:

“Let me not to the marriage of true minds
 Admit impediments. Love is not love
 Which alters when it alteration finds,
 Or bends with the remover to remove:
 O no; it is an ever fixed mark,
 That looks on tempests and is never shaken:
 It is the star to every wandering bark,
 Whose worth 's unknown, although his height be taken.
 Love 's not Time's fool, though rosy lips and cheeks
 Within his bending sickle's compass come;
 Love alters not with his brief hours and weeks,
 But bears it out even to the edge of doom.
 If this be error and upon me proved,
 I never writ, nor no man ever loved.”

It would be difficult to cite a finer passage of moral poetry

than this description of the master passion.* How true and how ennobling to our nature! We at once recognise in it the abstraction of that conception, which has found a dwelling and a name in the familiar forms of Desdemona, Juliet, Imogen, Cordelia, of Romeo, and of Othello, too, if that character be correctly understood. If this sonnet was written before his dramas, then it was the pregnant thought from which were destined to spring those inimitable creations of female character, that have been loved, as if they were living beings, by thousands. If, as is most probable, it was written afterwards, it is Shakspeare's own comment, and might be prefixed as a most apposite motto to those dramas, in which he has given life and motion to the conception. The gladdening influences of a lover's thoughts—the cheering light of a pure affection—were never depicted with truer feeling than in the following sonnet:

“ When in disgrace with fortune and men's eyes,
 I all alone beweepe my outcast state,
 And trouble deaf heaven with my bootless cries,
 And look upon myself, and curse my fate,
 Wishing me like to one more rich in hope,
 Featur'd like him, like him with friends possess'd,
 Desiring this man's art, and that man's scope,
 With what I most enjoy contented least;
 Yet in these thoughts myself almost despising,
 Haply I think on thee. And then my state
 (Like to the lark at break of day arising
 From sullen earth) sings hymns at heaven's gate;
 For thy sweet love remember'd, such wealth brings,
 That then I scorn to change my state with kings.”

We make no apology for transcribing from the same collection another specimen, in which the reader cannot fail to observe an abundant measure of that exquisite but uncloying sweetness which distinguishes so much of the old English poetry. This sonnet would have been a meet melody to be chanted with the songs of Herbert and Herrick, by the honoured lips of old Izaak Walton.

“ O how much more doth beauty beauteous seem,
 By that sweet ornament, which truth doth give!
 The rose looks fair, but fairer we it deem
 For that sweet odour which doth in it live.
 The canker-blooms have full as deep a dye,
 As the perfumed tincture of the roses,

* The fame of having composed the finest *prose* delineation of the passion of Love may be claimed for Coleridge: it may be found in a piece entitled “The Improvisatore” included in his poetical works. For philosophical analysis and for beauty of expression it is unequalled by any single passage on the subject. As a piece of abstract description or definition it is not surpassed by the celebrated definition of wit in Barrow's Sermons.

Hang on such thorns, and play as wantonly
 When summer's breath their masked buds discloses.
 But, for their virtue only is their show,
 They live unwoo'd, and unrespected fade;
 Die to themselves. Sweet roses do not so;
 Of their sweet deaths are sweetest odours made:
 And so of you, beauteous and lovely youth,
 When that shall fade, by verse distills your truth."

Beside these objections, which are equally applicable to the sonnets of all nations, the English sonnet is charged with faults of its own. Dr. Johnson's opinion has been already adverted to. Lord Byron, in one of the very few sonnets he wrote, makes the same admission, that it is a form of poetry not suited to our language; and though some allowance is to be made for the language of compliment which he was addressing to an Italian lady, yet the fact that the noble poet, with all his Italian promptings, so rarely made use of the sonnet, is proof enough of his sentiments. We have thus frankly referred to the opinions of Dr. Johnson and Lord Byron (odd company indeed!), both strong names and witnesses against our cause. We must be allowed to speak of them with equal freedom. There will be no novelty in the expression of an opinion derogatory to Dr. Johnson's character as a critic of poetry, nor will it be necessary, we presume, to remind the reader of the errors, both of judgment and taste, in his principal critical work. Dr. Johnson had in fact a hearty love for only one period of English poetry, and that not its best period. His affection was given to the poetry of that time, when the native vigour of the poetry of England was enfeebled by the introduction of Gallic refinements, when the healthy, sanguine English muse, was miserably depleted. To say that he was little better than blind and deaf to all else would scarcely be using language too strong. Out of the limits of the period referred to, he praised only by compulsion, as is apparent from his reluctance, such as is manifested in his criticisms on the minor poems of Milton. There is no instance on record in which the guilt of literary omission attaches more strongly and has done more injury, than in Dr. Johnson's Lives of the English poets. For aught that appears there, Chaucer and Spenser, and Shakspeare, (as a poet apart altogether from the dramatist), and Drayton, Daniel, Sir Philip Sidney, and others of the age of Queen Elizabeth, the chief of the poets of England, might never have breathed a verse. And in the dreary absence of these, after what names is the misguided reader led in chace? Stepney, Mallet, Granville, and Pomfret, Hughes and Yalden and Sprat—"rats and mice and such small deer." Now the school of poetry, which was favourite with Dr. Johnson, was exactly that by which the sonnet was com-

pletely repudiated ; it demands too much of the substance of poetry to have found favour in the eyes of the Charles II. and Queen Anne's men.* It is a fact of considerable interest as bearing on our subject, and one which will be appreciated by those who are familiar with the different ages of English poetry, that during the most artificial period the sonnet was neglected almost universally ; and that it revives with the taste for the earlier models, which is one of the best features in the literature of our day, and from which we may infer that poetry at least is completing a cycle by a return to primitive power and simplicity. To invalidate the authority of Lord Byron's name, may be a more delicate task than that we have just attempted. Conceding all the vigour of imagination that may be claimed for him by that large, but we think decreasing class, his zealous admirers, we cannot but believe that he greatly wanted the qualities essential to success in the severer forms of poetry. This would have been especially felt in the sonnet. Neither his habits of thought nor his modes of feeling were adapted to it, nor had he sufficient command of expression. His head and his heart and his tongue were all undisciplined. The time has gone by, we hope, for the misplaced sympathy with what are called the eccentricities of genius, and for the fallacy which recognises the right of any mortal to claim exemption from the laws which universally control the intellectual as well as moral being of mankind. How much is it to be deplored that Lord Byron was too disdainful habitually to lay his restless head in the lap of nature ! His conceptions, lofty as they unquestionably often were, were not distinct enough for a poem of limited size ; his emotions, deep as they were, unhappily were not chastened. Language did not sit upon him as a garment, but girt him like harness, as his more discriminating admirer often, to his discomfiture, perceives. When we hear Lord Byron's doubts as to the capabilities of the English language for the sonnet, we should recollect that he was far from being well read in English poetry, and that he was not well inclined to believe that what he himself was unequal to could be accomplished by any of his cotemporaries.

But leaving the witnesses, let us look to the charge. The sonnet is not suited to the English language. In what respect does the language fail ? Surely not in expression, for no one

* We may be reminded that the selection for the lives was made by the publishers ; we are aware of that fact, but it is an inadequate apology. Dr. Johnson himself suggested names, some of those we have referred to in the text ; he might have controlled and extended the selection, or if not, he might at least have proclaimed the existence of other treasures, if his taste had prompted him to an acquaintance with the earlier poetry of England.

will venture to deny that a certain number of English words will convey as much thought as an equal number of the words of any language living or dead. The alleged defect refers, we may fairly presume, to considerations of versification. A poverty of rhyme and a deficiency of harmony are imputed to the language, which if merited would indeed disqualify it for the continuous melody of the sonnet. We regard the charge as an idle prejudice. To complain of language is a hacknied device to conceal ignorance or incompetency. Let any one reflect on what has been accomplished by the English tongue, let him muse awhile on the achievements of English prose or English verse, and he may well be impatient of these disloyal repinings. Whoever undertakes to bring down Sir Thomas Brown's record to our own times, to be the historian of vulgar errors, of men's follies and mistakes, should place this in the foremost rank—the opinion which ascribes a narrowness to that glorious way, over which Shakspeare and Milton, Taylor and Barrow, Baxter and Bunyan, Burke, Coleridge and Wordsworth have passed into the hearts and minds of the British race on both sides of the Atlantic.

The sonnet has been successfully naturalized into English literature. Its first introduction was cotemporary with the early improvement in our poetry, by which metrical forms of versification were substituted for the old rhythmical mode. Its prescriptive title is therefore as good as that of any other form. The first English sonnets were written by Henry Howard, the gallant but unfortunate Earl of Surrey. The melodies of strange languages had fallen on his ear; yet he neither remained abroad to renounce his own home, nor did he return with a heart corrupted by foreign travel, but, in a spirit of pure and lofty patriotism, he sought his native land, to call up the yet buried harmonies of his mother tongue. This honour is shared with him by his cotemporary and friend, Sir Thomas Wyatt. We have already shown that the sonnet has been employed with honour by others—the chief of English poets. In the hands of Shakspeare its form was modified; and as we are much more disposed to regard him as a lawmaker than as an outlaw, we cannot but think that there is too dainty a preciseness in the hesitation, which is felt in applying the name to other forms than the original model. We are ready to adopt Shakspeare's enlargement of the meaning of the word, because no essential principle whatever of the poem is sacrificed by the variety. But to avoid the appearance of a mere verbal dispute, if we adopt the stricter sense of the term, the severer form of the poem, the legitimate sonnet, as it is called, the poets of England have abundantly vindicated the powers of the language. It is to a living poet that the glory of consummating

this victory over a wide-spread prejudice is due. The notes that proclaim this triumph of the English muse, are uttered by the sonnets of William Wordsworth. From these alone, we might readily show the abundant richness of the language in rhymes, its power of expression, and its flexibility of metre. With those, indeed, who are accustomed only to the more prominent rhymes, and the more marked forms of verse, the melody of the sonnet may often fall as on a deaf ear. But to a cultivated taste, and to the secret sense of hearing, apt for the music of poetry, we would cheerfully commit almost any one of Mr. Wordsworth's sonnets, without an apprehension that the sweetness and variety of its harmony would pass unheeded. The following may be taken after little more than a moment's selection :—

“ It is a beauteous evening, calm and free ;
 The holy time is quiet as a nun,
 Breathless with adoration ; the broad sun
 Is sinking down in its tranquillity ;
 The gentleness of heaven is on the sea :
 Listen ! the mighty Being is awake,
 And doth, with his eternal motion, make
 A sound like thunder—everlastingly.
 Dear child ! dear girl ! that walkest with me here,
 If thou appear'st untouched by solemn thought,
 Thy nature is not, therefore, less divine :
 Thou liest in Abraham's bosom all the year ;
 And worshipp'st at the Temple's inner shrine,
 God being with thee, when we know it not.”

Another prejudice, perhaps the most deeply seated, against the sonnet, results from an impression that it always treats a subject exclusively with reference to the feelings of the poet. Hence it is censured as egotistical, and is looked upon as the vent of moping and discontented humours, and of insipid sentimentality. That there are very many sonnets justly obnoxious to these reproaches, may be freely admitted ; and, also, that a bad sonnet is, for reasons that might readily be stated, one of the worst of failures. Of those who have been able to find none other, we can only say, that they have been indeed unfortunate in their selection. But we protest against this indiscriminate grouping of the good and bad : if the sonnet be judged on that principle, how will the epic abide it ? A bad epic is very bad, too, and a great deal more of it. It is one of the merits of the English sonnet writers that they have qualified the *subjective* character of the poem ; the feelings of the poet are not necessarily most prominent ; many of the best of the English sonnets may be read without recognising him as any thing more than a voice.

That the sonnet is egotistical, is obviously only a compara-

tive censure. Whether this is to be imputed to it for its reproach or its repute, will manifestly depend upon whose egotism it is. If it express the feelings of a hollow heart, or the thought of an empty head, nothing can be more valueless. But has it not been the key to open the secret cabinet of spirits whose stores were precious? When Shakspeare meditated upon his theatrical profession, it was in the sonnet that he breathed out his sense of degradation in that beautiful lament, of which the tone is a little louder than a sigh, and yet not so harsh as a murmur. It is here that his genius, no longer embodied in its creations, appears to us in its individual nature; he walks upon the earth in his own personal form. What poem can boast of greater interest?

“Alas! ’tis true, I have gone here and there,
And made myself a motley to the view,
Gored mine own thoughts, sold cheap what is most dear,
Made old offences of affections new.
Most true it is, that I have look’d on truth
Askance and strangely; but, by all above,
These blenches gave my heart another youth,
And worse essays prov’d thee my best of love.
Now all is done, save what shall have no end:
Mine appetite I never more will grind
On newer proof, to try an older friend,
A God in love, to whom I am confin’d.
Then give me welcome, next my heaven the best,
Even to thy pure and most loving breast.”

Again, in reference to the same topic:—

“O, for my sake do you with fortune chide,
The guilty goddess of my harmful deeds,
That did not better for my life provide,
Than public means, which public manners breeds.
Thence comes it that my name receives a brand,
And almost thence my nature is subdued
To what it works in, like the dyer’s hand:
Pity me, then, and wish I were renew’d;
Whilst, like a willing patient, I will drink
Potions of eysell, ’gainst my strong infection;
No bitterness that I will bitter think,
No double penance, to correct correction.
Pity me, then, dear friend, and I assure ye,
Even that your pity is enough to cure me.”

This would be sweet language from any lips; but what can be deeper than the pathos of it, when you reflect that it is the grief of one whose wisdom, for more than two centuries, has been reverently quoted by statesmen, philosophers, and divines; whose plots have wound round so many hearts, and moistened so many eyes; whose pictures of passions have moved such sympathies, and whose wit has gladdened so many faces. It is in his sonnets that you find the conclusive proof that he was

"the *gentle* Shakspeare."* It will be recollected that he retired to Stratford, to pass the evening of his days. We quote the following sonnet, which appears to refer to that period, partly for the fine amplification it contains of a well-known phrase in *Macbeth*, and chiefly for the surpassing beauty of the images illustrative of a poet's silent old age; we challenge the poetry of the world against that one line:—

"That time of year thou may'st in me behold,
 When yellow leaves, or none, or few, do hang
 Upon those boughs which shake against the cold,
Bare ruin'd choirs, where late the sweet birds sang.
 In me thou seest the twilight of such day,
 As after sunset fadeth in the west,
 Which by and by black night doth take away,
 Death's second self, that seals up all in rest.
 In me thou seest the glowing of such fire,
 That on the ashes of his youth doth lie,
 As the death-bed whereon it must expire,
 Consumed with that which it was nourish'd by.
 This thou perceiv'st, which makes thy love more strong,
 To love that well which thou must leave ere long."

One other instance may be cited by way of refutation of the charge of insipidity brought against the sonnet. When Milton addressed the grave appeal of patriotism to his cotemporaries, Cromwell, and Fairfax, and Vane, he chose this form. When he invoked a higher power, it was the sonnet by which he uttered the prayer, "Avenge, O Lord, thy slaughtered hosts," a note so fearful and so loud, that we can almost fancy it echoing over the valleys in which the bones of the martyrs lay covered with snow. And when, at last, no longer able to resist the belief that he had been labouring for an unworthy age, that he had been prompting to freedom a race that was sluggish and sensual, it was in the sonnet that he expressed his solemn resignation. It was a fitting close for his eventful career. The storm that had risen on the meridian of his life had slowly

* Of all the epithets that are attached to the name of Shakspeare, there are but two or three that are to be tolerated. You can scarcely, by means of any term, add to the conception of genius, which is suggested by the single word "Shakspeare." The phrase, "the gentle Shakspeare," deserves to be a favourite one, because it teaches a truth of deep moral interest—it tells of the blessed union of genius and gentleness, that there is a natural alliance between the highest powers of intellect and tenderest emotions of the heart. There might, perhaps, be no other objection than the appearance of quaintness to his sharing Hooker's epithet, "the judicious Shakspeare," as indicating those faculties which combined with imagination are found only in poets of the first order. Mr. Coleridge applied to Shakspeare the expression "the myriad-minded," *αὐτὸς μυριάκις*, having *reclaimed* it from a Greek monk, by whom it had been used in reference to a patriarch of Constantinople. As to most other epithets for him, they are as tinkling cymbals.

abated, and while the fragments of it were yet strewn on every side, and the thunders of his controversial voice were echoing in the distant sky, there broke forth at sunset a placid gleam of that light which had beamed upon his youth. His sight extinguished, a hostile dynasty restored, "Darkness before and Danger's voice behind," he bowed his head with the unsoured cheerfulness of his early days. In that spirit we find him in the sonnets communing with a few chosen friends and with his God. To appreciate Milton's sonnets fully, we should refresh our recollections of some of his prose writings; we should recall the fierce indignation, and the bitter scorn, hurled against Salmasius; we should recur to the closing passages of his tract of "Reformation in England"—the most awful imprecation ever uttered by the voice of man, save when it has been prophetic of the vengeance of the Almighty. Then let either of the sonnets addressed to Cyriac Skinner be read.

"Cyriac, this three years day these eyes, though clear,
 To outward view, of blemish or of spot,
 Bereft of light their seeing have forgot,
 Nor to their idle orbs doth sight appear
 Of sun, or moon, or star throughout the year,
 Or man or woman. Yet I argue not
 Against Heav'n's hand or will, nor bate a jot
 Of heart or hope; but still bear up and steer
 Right onward. What supports me, dost thou ask?
 The conscience, friend, to have lost them overply'd
 In liberty's defence, my noble task,
 Of which all Europe talks from side to side.
 This thought might lead me through the world's vain mask
 Content though blind, had I no better guide."

Can it be that the torrent which before leaped so madly and so loudly from rock to rock, has passed into this gentle current! How full, how tranquil, is its flow!

Spenser's sonnets are of secondary merit: inferior to his other minor poems, they are unimpassioned productions, of a character which seems to be suggested by the title "*Amoretti*," prefixed to them. The poet who, as a sonnet-writer, has gained a place by the side of Shakspeare and Milton, is Wordsworth. And when it is considered that all of these have given to the world works of a more enlarged form and of the highest order of poems, it would seem that the sonnet was used as a kind of private tablet to preserve the detached and passing thoughts which must ever be rising in the ceaseless fountain of a great poet's heart. It is the record of

— "the sessions of sweet silent thought,"

to borrow from a sonnet of Shakspeare one of those exquisite phrases, which fell so naturally and so gracefully from his tongue, and which justify us in saying, (not irreverently we

trust,) that he spake as never man spake. Let no one look upon the little poem with a hasty superciliousness. We have shown that it has been the retreat of poetic genius of the first rank—an oratory for those who have worthily ministered in the solemnities of cathedral service.

The sonnets of Mr. Wordsworth would richly deserve a separate examination. He, more than any other poet, has shown its adaptation to a very great variety of subject and of feeling. If there were none other in the language, there would be reason enough to claim the sonnet as a form of poetry completely naturalized into English literature. The public is at last rendering him justice; the sound of the war that was waged against him has died away. It is his singularly happy fortune, in which his early admirers especially sympathize, to witness the beginning of the maturity of his fame. It will be completed by the reputation of his sonnets, which will probably be the last of his works to gain very general favour. For this reason, we have quoted from them freely, and if the reader desire the eloquence, the pathos and the philosophy of poetry, with all its harmonies, we commend him to the several collections of sonnets among the poems of Wordsworth.

In adverting to cotemporary poetry, we cannot suppress a regret that Coleridge—that other great light, but recently extinguished—did not, in the later periods of his life, revive his early attachment to the sonnet. In expressing this regret, we would not be understood as participating in the charge of inactivity, that has so inconsiderately been brought against him. Of that injustice we wash our hands, for we entertain too deep a gratitude for what he has done, and too firm conviction that few writers have contributed more to the thoughts of their fellow beings. Coleridge has been our friend—our companion, our guide, our own familiar friend. We could not lay upon the grass that grows on his grave the weight of the lightest complaint. We merely regret that in his old age he did not renew the series of his youthful sonnets, because his constitutional habits of reflection and his singular powers of versification pre-eminently qualified him for this form of poetry. We could readily point out many a passage in Mr. Coleridge's prose works, in which some noble thought is illuminated by a richly imaginative illustration, and which would need only the metrical arrangement to constitute a sonnet of the first order. His son, Mr. Hartley Coleridge, who has given proof that the genius of the family has not been buried in the father's grave, might find in such a process of transformation a task affectionate to the memory of his parent and worthy of his own powers.*

* If our voice could reach him, we would commend such passages as the following as suitable material for the sonnet: the fine comparison in

It is irksome, we are aware, to write from other men's suggestions, and the best efforts of mind are those which are purely self-evolved. The mere difficulty of any undertaking would be no obstacle to the intellect that could conceive a sonnet in all respects so adequate to its high theme as the following from the poems of Mr. Hartley Coleridge:

"TO SHAKESPEARE.

"The soul of man is larger than the sky,
Deeper than the ocean—or the abysmal dark
Of the unfathom'd centre. Like that ark,
Which in its sacred hold uplifted high,
O'er the drown'd hills, the human family,
And stock reserved of every living kind,
So, in the compass of the single mind,
The seeds and pregnant forms in essence lie,
That make all worlds. Great poet! 'twas thy art
To know thyself, and in thyself to be
Whate'er Love, Hate, Ambition, Destiny,
Or the firm fatal Purpose of the Heart,
Can make of Man. Yet thou wert still the same,
Serene of thought, unhurt by thy own flame."

In closing our enumeration of the capabilities of the sonnet, there is one other purpose to which it was equal. It could express the feelings of Charles Lamb. Why of Charles Lamb more than of any one else? Reader, if you ask that question, you have not yet learned the dear mystery of those two monosyllables, "*Charles Lamb*." But if you have been more fortunate, how much of the spirit of Elia will you not recognize in these two brief poems!

"WORK.

"Who first invented Work, and bound the free
And holiday-rejoicing spirit down
To the ever-haunting importunity
Of business in the green fields, and the town—

the Friend, "human experience, like the stern lights of a ship at sea, illumines only the path which we have passed over:"—or Coleridge's impassioned wish respecting the reception of his works, "Would to Heaven that the verdict to be passed on my labours depended on those who least needed them! The water lily, in the midst of waters, lifts up its broad leaves, and expands its petals at the first pattering of the shower, and rejoices in the rain with a quicker sympathy than the parched shrub in the sandy desert:"—or his bold conception respecting the design of miracles, in the Statesman's Manual: "It was only to overthrow the usurpation exercised in and through the senses, that the senses were miraculously appealed to. Reason and revelation are their own evidence. The natural sun is in this respect a symbol of the spiritual. Ere he is fully arisen, and while his glories are still under veil, he calls up the breeze to chase away the usurping vapours of the night season, and thus converts the air itself into the minister of its own purification: not, surely, in proof or elucidation of the light from heaven, but to prevent its interception."

To plough, loom, anvil, spade—and oh ! most sad,
 To that dry drudgery at the desk's dead wood?—
 Who but the being unblest, alien from good,
 Sabbathless Satan ! he who his unglad
 Task ever plies 'mid rotary burnings,
 That round and round incalculably reel—
 For wrath divine hath made him like a wheel—
 In that red realm from which are no returnings ;
 Where toiling, and turmoiling, ever and aye,
 He, and his thoughts, keep pensive working day.

“ LEISURE.

“ They talk of time, and of time's galling yoke,
 That like a mill-stone on man's mind doth press,
 Which only works and business can redress ;—
 Of divine Leisure such foul lies are spoke,
 Wounding her fair gifts with calumnious stroke.
 But might I, fed with silent meditation,
 Assoiled live from that fiend, Occupation—
Improbis labor, which hath my spirit broke—
 I'd drink of time's rich cup, and never surfeit ;
 Fling in more days than went to make the gem
 That crown'd the white top of Methusalem ;
 Yea, on my weak neck take, and never forfeit,
 Like Atlas bearing up the dainty sky,
 The heaven sweet burthen of eternity.”

We have thus endeavoured, not very systematically, to vindicate a neglected department of English poetry. We never engage in an investigation of the kind, involving a recurrence to the early periods of English literature, without feeling disposed, on closing it, to give way to a thanksgiving that “the lines have fallen to us in such pleasant places—that we have so goodly a heritage.” To the student of poetry—we hope a distinction is drawn between such and many of the ordinary readers of poetry—we commend the sonnet as worthy of his regard and as one of the best tests of a cultivated taste.

The public taste for the sonnet is reviving, and it would not be a difficult task to give it a true tone. Let a selection be made from the sonnets of Shakspeare, Milton, Spenser, Sir Philip Sidney, and other of the earlier poets, and from those of Warton, Bowles, Wordsworth, Southey, Coleridge and others, illustrated with occasional critical notices. A volume might be formed, into which none but the best English sonnets should be admitted. Beside its intrinsic merit, such a book would possess much of the charm of novelty, and, what would distinguish it most favourably from all books of selections, each selection would be a complete and perfect poem in itself. We can scarcely imagine a more agreeable volume for the study or for the parlour table. We recommend the suggestion to some enterprising publisher, as one likely to be successful, and which would certainly render a service to the cause of English letters.

ART. X.—*History of the Town of Plymouth, from its First Settlement in 1620 to the present time; with a Concise Account of the Aborigines of New England, &c.* By JAMES THACHER, M. D. Second edition. Boston: 1835.

A good town history in this country is a rarity. Quite a number of books, purporting to be such, have been published; all within a few years, and mostly, as a matter of course, at the north, where the thing signified by the word *town*, in the sense we intend to use it in the following paper, is almost exclusively known. Some of these, if not all, we have seen. There are none of them, within our recollection, which do not deserve considerable praise, and which ought not, on the whole, to be in the library of every person who wishes to be thoroughly possessed not only of our general history, but of its particulars; and especially of the elementary materials out of which, and of the process by which it is, or should be, made. Many of them indeed are apparently first literary attempts; experiments, perhaps, a little in the way of historical maiden speeches; modestly intended to interest and gratify a comparatively small region of readers, who may be considered parties to the showing-up of the subject matter discussed. Yet these have their wider value. They save something from oblivion; sometimes a great deal; even treasures, it may be, of local tradition, recollection, or record, which at some day or other, in some hands, may be found of inestimable incidental value; and which, at all events, are decidedly worth the labour of preserving for various purposes. These local annals are full of *little things*,—names, dates, and facts, and rumours of every sort, which seem at first sight almost too trifling to be noticed; and yet not only is it true that the general historian must essentially depend on the local to a very considerable extent, for the mass of loose seeds from which the spirit of *his* narrative should be laboriously distilled; but it is also true that there is almost always a good deal of that spirit already made, in such materials, at his hand. Many of these little things which we speak of, are little only in size and name. They are full of rich meaning. They are graphic and characteristic in a high degree. They suggest far more than they say. They illustrate classes of men, and ages of time. They are small but brilliant lights on the walls of the past, pouring floods of splendour from their little niches on the vast abysses around them.

We want more of these little things in our history. In all history, indeed, we want them. History teaches us, as it is, almost solely great results. It gives us the successions of

governments and empires, the names of great men, the places of mighty battles, and perhaps the number of the killed on either side ; with a philosophy of comment, or inference proportionate to such a beggarly account of empty statistics. This is well as far as it goes, but we want more ; or rather, we want *less*. We need the retail of history, as well as the wholesale. We need more facts which constitute or indicate real character and condition, in detail ; the more the better. We need the little things which lead to the great things, and which follow from them. The skeleton of the past then would be clothed in flesh and blood, as it once was. It would come out of its long obscurity as the bodies of the poor Pompeians come out from theirs ; life-like, if not living ; surrounded and invested with the accompaniments which bespeak even the traits of individuals, as well as of races, generations, and communities ; nay, in the very attitude of the act in which their fate surprised them, and with the expression of that action in the face. This would be a restoration worthy of the name. We could "*live o'er*" the scene, and "*be what we behold*." There would be no more complaint of the dullness and dryness of history. It would ask no art to teach, and no labour to learn it. It would be *read* instead of being *studied*. The truth, stranger than fiction, would come out on the surface, and attract even the eye of the child. The work of historical novels, —the most successful the world has seen, because the most true,—would be superseded by the historian's taking his own business into his own hands. We should have novels in histories, instead of histories in novels ; and all, of course, not by the infusion of fiction or imagination, (which cannot but settle more or less into the chasms of history as it is,) but of truth. Herein consist, in a great degree, the value and interest of the poorest even of these town histories ; for it would be far more difficult for the poorest, in a country so full of the materials of *such* history as ours is, to avoid, than it would be to accomplish, the preservation of many things, which are nobly worthy of the toil.

The value, then, of a good town history, such as we began with describing as a rarity, may be easily inferred ; the value of one, we mean, which is the work of a person, in all, or in most respects, competent to his task ; and that is saying a good deal. Such a person must, in the first place, be indefatigably industrious. There is almost no literary labour equal to that of looking up and working over the lumber of such a book, especially in cases of especial deficiency or redundancy, of documents, or other difficulties, which are incident to the task. He must have a thorough, genuine, antiquarian spirit. Ambition, or any other foreign consideration, will by no means answer the same end.

There is no ambition to be gratified in such drudgery, or by its result. No fame accrues to such a work, unless in very extraordinary cases, in a limited degree. It can never be a profitable undertaking in any pecuniary sense. It must be truly a labour of love.

But it must be much more than this. Most, if not all the requisite ability and accomplishments of the general historian must come in play; the experience, liberality, tact, self-control, general information, taste in style, sound sense in every thing; the arts of selecting, discriminating, comparing, arranging, inferring, expressing and discussing, thoroughly, truly, coolly, and well. It is no marvel in our eyes that such a work, done as it should be, is a rare thing, especially as the business of making these histories, when we consider what remains unwritten, can be deemed only to be just begun.

The force of these remarks applies, of course, peculiarly to peculiar cases. A *town*—a New England town—is itself a curiosity among communities, and in the history of the world. Any history almost, of almost any town, must be a curiosity in literature, to *that* extent, if no more. The annals of an important town, however,—of an ancient one, which has stood, suffered and acted through every stage of the country's history,—of a leading one, still more, which has taken a prominent share in the proceedings, and commanded the respect, and moulded, more or less, the character of surrounding and succeeding communities, the annals in a word, of such a town as Plymouth, "Old Plymouth," setting aside even the incident which specifically places it above all competition with all its neighbours, not to say with any other locality, the world knows,—how full should such a volume be of the fact and of the philosophy of the highest order of human records.

Old, we say; the oldest of our towns; the first of the settlements of New England; the second permanent one along the whole shore of the Union; and yet how young, as compared with the states and empires which have been commonly the historian's theme. How full of materials for his work—which have been almost always wanting in those cases. *Their* beginning has reached back into the darkness of unknown time. Hundreds and hundreds of years have rolled over them, like the clouds of the summer, and left no trace behind. Intervals in their existence, wider than the whole space of American history, are passed over with, perhaps, a mere conjecture, or the names or number of their kings. Two centuries alone have sufficed for us—and those two the last; a period comparatively enlightened throughout—the illuminated period of the world's annals; a period of revived mind, of intense activity, of free intercommunication, of the most extraordinary revolutions, cha-

racters, and phenomena of every sort, recognised by the history of nations, which man has ever seen. Of all these things, so far as we are connected with them, nothing has been done in the dark. A complete record, with slight exceptions, has been preserved in some shape or other; chiefly, indeed, in a state of most plentiful confusion—but yet preserved. Our history, as a people, may be written from the beginning to the present hour.

The volume of Dr. Thacher has freshly impressed these considerations upon us. Great labour, of necessity, was to be encountered in the research it could not but require, and no small difficulty to be surmounted, and ingenuity exercised, in the condition in which the material to be relied on and wrought out was found. Yet it was not, as in the investigation of the origin of other states it generally has been, a fruitless and a hopeless task. The author knew, in the outset, that it need not and would not be so. He did not

——“wander there,
To bring us back the tidings of despair.”

It is wonderful to see, on the contrary, how, step by step, and stage by stage, he has traced back (or enabled his reflecting readers to do so) the growth of the country, and of the town, and of the colony, and of the individuals even who composed it, to the one and grand starting point of them all. Our whole progress is laid bare. The past is restored. All which belonged to Plymouth alone, in history, has become the property of the world. We have discovered “the cradle of that mighty birth.” We have opened to the sunbeam “the far fountains” of the nation’s “Nile.”

We are reminded by this volume, we say, of *the youth of our antiquity*. The whole tenor of its contents, (such is their recency,) as compared with those of foreign histories, enforces that impression, difficult as it is to realize, when we take time to consider, how momentous a life, and how *much* of one for all the essential ends of national existence, we have compressed into this narrow space of two hundred years. We remember that when Professor Everett pronounced, in 1824, his justly admired oration before the Pilgrim Society of Plymouth, he availed himself, with his usual tact, of an incident which is still, perhaps, the most beautiful illustration which that famous anniversary has ever elicited of the strange vastness of the results the settlement has produced. He spoke of the appropriation granted, during that season, by congress, for the security of the old harbour, where, on the day they celebrated, the germ of so much of the future America was tossed in one small vessel on the wintry tide. A few generations came and went, and, lo! from the little democracy organized in the cabin of

the May Flower—the first which the world has seen—from this weak and weary band of exiles, poorly armed (as he describes them), “scantily provisioned, depending on the charity of their ship-master for a draught of beer on board, drinking nothing but water on shore, without shelter, without means, and surrounded by hostile tribes”—more than half their number (he could have added) perishing on the spot within the first six months, and the residue, two years after, reduced to a distribution of a single pint of corn for their sustenance,*—from such an origin had sprung “*a great American representation, convened from twenty-four independent and flourishing republics*, taking under their patronage the local interests of the spot where our fathers landed;” and providing, adds the orator, in the same act of appropriation, for the removal of obstacles in the Mississippi, and the repair of the Plymouth beach. There were members of that congress, he would not say from distant states, but from different climates; from regions which the sun in the heavens does not reach in the same hour that he rises on *us*. “Happy community!” well might he subjoin, “glorious expansion of brotherhood! . Blessed fulfilment of that first timorous hope which warmed the bosoms of our fathers!”

On the same occasion, Mr. Everett alluded to the circumstance of the but recent decease of those who had been intimate with the children of the first settlers. In the history before us we notice, in the account of the commemoration of 1817—when the Rev. Mr. Halley, of Boston, addressed his genius to the subject which so many master-minds have discussed before and since on the same sacred ground without the possibility of exhausting it—an allusion to the aid which he then derived from the reminiscences of the venerable Deacon Spooner; the same who, in his brown wig and ancient costume, was wont, if we mistake not, to appear on similar occasions previous to this, in discharge of the customary duty of reading a

* This statement we suppose to be traditional. It is, however, so well authenticated, as to have been revived at the memorable celebration of 1820 (when Mr. Webster gave the oration), by putting in each plate, at the dinner-table, *five kernels of parched corn*, which is understood to have been the share to each individual in 1623. At all events, the anecdote conveys no very exaggerated notion of the true state of things at the time. Governor Bradford writes, in one place, “By the time our corn is planted, our victuals are spent, not knowing at night where to have a bit in the morning;” and he says, again, when a few of their dearest old friends had just arrived in the colony, “the best dish we could present them with, is a lobster, or a piece of fish, without bread, or any thing else but a cup of fair spring-water.” The best of them lived for months mostly on clams and ground-nuts.

hymn, line by line, to be sung in the same style by the choir.* The deacon died, we find, in the following year, at the not very advanced age of eighty-two. He was intimate, in his youth, with Elder Faunce, who died in 1746, at the age of ninety-nine. The elder was born, of course, in 1647, only twenty-seven years after the settlement commenced. Deacon Spooner was present when, in 1741, it being understood that a wharf was to be erected over the Pilgrim Rock, the elder's desire to take a last farewell of that memorial, induced him to visit the spot, then in his ninety-sixth year, from a distance of three miles, that he might have the satisfaction of bedewing with his tears the place which his father had told him was hallowed by the first footsteps of the pilgrims. So short is the chain of the traditions which connect us thus closely with the settlers of Plymouth.

This impression is continually confirmed, as we turn over the leaves of Dr. Thacher's volume, by the notice of little incidents of like nature. The hardihood of mind and body, the kind of general *character*, which so distinctly marked the generation of the settlement, and which appears in all their actions and sufferings, even the slightest, as the vitality of a tree's sap is visible in the least of all its farthest leaves, the constitution, which, among minor things, as it may seem to some, so essentially contributed to the success, and even to the projection, perhaps, of their great enterprise, is not faintly illustrated by the circumstances already alluded to in the notice of Elder Faunce. We refer to the remarkable health, thrift, and especially the longevity to which the old settlers, in spite of every thing they encountered, attained; and which we choose to refer to in this place, the rather, as it throws some light on the precision with which the traditions of those times have reached us. The first ravages of disease and other trials were indeed severe, as we have intimated, by the fact that in March following the arrival, only fifty-five remained of the one hundred and one who came in the May-Flower. This was to be expected. The only wonder is how any, and especially how so many, of them escaped. We must bear in mind that of this miserable one hundred and one, the number of males described as "qualified to act in state affairs," was but forty-one. Some of these, it is fair to presume, were more or less infirm when they started. The rest were women and children. The voyage was of almost unexampled hardship. Twice, it will be recollected, they put back in the roughest weather for repairs;

* In 1806 he read a hymn composed by Dr. Holmes (the historian) for the occasion, that gentleman being the orator of the day.

after which the vessel was again, with great difficulty, repaired at sea sufficiently to enable her to proceed. This was in the gloomy and cold season from September to December; and counting from the time of leaving Delfthaven, it was a voyage of considerably more than *four months'* continuance. The "*ship*" as the doctor calls her, was of the burthen of one hundred and eighty tons; and this fact, in connection with the season—the leakiness—the length of the voyage—the exposure and labour, doubtless, of most on board, who were able to do any thing—and the still more dreadful suffering of those who were not—the crowding of so many with all their luggage in so narrow and so noisome a place,—these things, to say nothing of any effect of the sadness of what had past, and the all but desperate and appalling hopelessness (as at least to other minds it would have seemed) of what was yet to come: these things, if we go no farther, may well excite our astonishment, not only, that but one of the whole number, and he a lad, died at sea, but that many of them retained enough of their vigour and spirits to enable them to endure the still severer trials which met them at once on the shore. What proofs do we see here of a constitution of *body*, worthy of the iron inveteracy with which their souls themselves were mailed.

Immediately on reaching Cape Cod the long-boat was put out, full of males, to explore the coast, and traverse the woods. This was in November, and they continued in that service for about seventeen days; it being so shallow too, where they now were, that "the men were obliged to wade in water over their knees in going to and from their shallop." The women meanwhile went ashore "to wash." When they sailed again, after concluding not to remain in this place, the weather was such that the water froze every moment, we are told, on their clothes. On the 8th of December, when eighteen of the males set off once more in the shallop to explore, they were overtaken by a violent storm of wind and rain, which compelled them to spend the night wet and without shelter upon "Clark's Island," where probably it occupied them the whole of the ensuing sabbath, (the first which was ever observed in New England,) to dry their clothes. Many at this date were suffering under the scurvy. The stormy weather continued, yet "no man was suffered to remain idle;" and such was their industry, after reaching Plymouth, that one half of their storehouse was thatched in four days and a half. Some, subsequently, were lost in the woods over night. The second vessel, the *Fortune*, in 1622, instead of bringing relief of any sort, had spent her provisions on the voyage, and brought only more mouths to be fed. The whole company were now put on half allowance, of such as they had. Mr. Winslow records that even this was wholly spent by

the end of March 1622. The next season Mr. Bradford says, "we have neither bread nor corn for three or four months together." Meanwhile the men were making arduous expeditions by land and sea. The Indians were to be watched. Fortifications were made. Weston's starving scoundrels at Weymouth, were to be looked after. All the wants of a new colony in a word, under the most inauspicious circumstances it would seem possible to imagine, pressed them by day and night; circumstances which appeared quite sufficient to try the metal they were made of, without adding any considerations on the score of their *neighbours*. This name, we suppose, should be given to the colony at Jamestown, in Virginia; and it will be borne in mind that in March 1622, took place the memorable massacre in that region, in which no less than three hundred and forty-seven of their number were destroyed in the most horrid manner by the savages around them. The Plymouth settlers, at this intelligence, built themselves a strong fort on "the hill," the lower part of which they used for a *place of worship*; so critical did they deem their condition to be.

What shall we say, then, of the spirit which sustained this people, through all this, and far more, of which no record is preserved, and which, if there were, no language could describe justly? They did not neglect even their agriculture in their alarms. In the very June following the Virginian massacre, we find that their gardens now "afforded ample supplies of vegetables," and they had planted sixty acres of corn. The noble Bradford says, two years after, when he treated his newly arrived English friends to the luxury of a lobster, and perhaps a condiment of ground-nuts,—"*the long continuance of this diet, with our labours abroad, has somewhat abated the freshness of our complexions; but God gives us health.*" So modestly does he venture to congratulate himself on his escape from a series of hardships which began (in February 1620) with prostrating all but six or seven of the company on their beds. Not one of them in the meantime do we hear complaining. When the May-Flower returned in April, no individual of the settlers expressed a desire to go in her. The blandishments of recollection, and the apprehensions of every moment of the future, added to all which they had suffered already, tempted them in vain. They cared not for house or land, for wife or child, for friend or foe, in comparison with the great purpose which had taken possession of their souls.

It seemed as if Providence had designed that they should be thus extremely tried, from the first. Ten years they had sojourned in Holland, but the mere comfort of that position did not satisfy them. They embarked for an unknown world,

in the worst conveyance, at the worst season, with the worst weather, and the worst luck. They were crowded from two vessels into one. They were damaged twice, and driven back to port. They sail again, and new storms encounter them, which they brave, and push on. Destined for the Hudson, their captain betrays them, and the first land they make is the bleakest of the whole of that "stern and rock-bound coast." Room had been made for them meanwhile by the ravages of disease among the natives some years before, or they never probably could have landed at all. As it was, they were ignorant of the fact, and they saw just enough of them to apprehend justly that it might be otherwise. Then storms, sickness, famine, alarms, beset them on every side. The Indians were howling their curses on the new comers in a neighbouring swamp.* Showers of arrows fell among their exploring parties at times, from unseen hostile hands. If a settler rambled in the woods, the wolves surrounded him, and "grinning and howling at the affrighted man," just suffered him to escape. The store-house, within a fortnight, was consumed by fire. The first governor, Carver, was taken sick, and died, and fifty others were disposed of in the same way. All this, we say, could not move them. They did not forget the worship of their God. They did not neglect their gardens, their houses, their sick. No license was given for the loosely-disposed to avail themselves of the confusion of affairs. The first offence—Billington's "opprobrious speeches,"—was tried on the spot by *the whole company*,—a democracy indeed!—and punished in the presence of the same. Every thing, in fact, went on, as if all beside had favoured them as much as their own "unconquerable will." And more than that. The roots of their resolution but entered their souls more deeply with every gale that beat upon their heads. They grew hardier as they encountered more. They wrapped their prayers around them, (as the traveller in the fable wrapped his cloak,) and braved the blast with energies made only the more watchful, bold, and strong, by all that provoked them, as it were, to reason, and dared them to endure. The secret was, that they had thought of this before, and in season. They were intelligent men, and had counted the cost. They realized that their object in exposing themselves to such a series of calamities, though these were even more than their worst imaginations had conceived, was still the same, and it still transcended them, and made them "light as air." They felt that the freedom which they sought, "freedom to worship God," was even now their own. No calamities could deprive them of that feeling, nor of the glorious

* History, p. 31.

† Ibid. p. 32.

joy it gave them. They feared only to be slaves. They asked only to be free.

We were alluding, when we began this sketch of the sufferings of the pilgrims, to the longevity which many of them nevertheless attained, and cited it as a new proof of the qualifications which those men possessed for their enterprise. This was in 1620, and we find them, as we follow up the record, still lingering to the century's close.

The illustrious *Winslow*, born of an ancient and honourable family (in Worcestershire), and accustomed, doubtless, to comfortable living through early life, exposed himself, after his arrival here, perhaps as freely as any other man;* yet he contrived to endure his hardships some thirty-four years, till 1655, when, at the age of sixty-one, he might justly be said to have fallen prematurely from extraordinary fatigue, added to a fever of the climate, in the West Indies, where he was engaged as a commissioner under Cromwell, on board the fleet of Admiral Penn.

The gallant *Standish* died at his residence in Duxbury, (some traces of which are still, we believe, to be seen,) the year after the death of Winslow, and at what Dr. Thacher calls a "very advanced age." As much may be inferred from the circumstance that somewhere between 1620 (when he lost his wife) and 1623, he married for the second time—the name of this lady appearing that year in the assignment of lands, at the head of the list. This brave man, it is well known, was by universal consent considered by the settlers, immediately on their landing, the military commander-in-chief of the colony, and he soon found occasion enough for confirming the correctness of the choice. Standish, also, seems to have been a man of good rank and name in his own country. Dr. Belknap traces him back to the venerable bishop of St. Asaph, in the reign of Henry VIII. Mr. Davis, in his notes to Morton's Memorial, cites from the old work called "Ancient Vestiges" the remark, that as late as 1707 Sir Thomas Standish was living at Duxbury, which is understood to have been the name of the family seat in Lancashire. It is difficult to imagine how the colony could have existed long without Standish, and his ability was valued accordingly.

How high was the repute of military prowess, occasioned

* We have a detailed account preserved of two journeys which this gentleman made within one year, on foot, across the wilderness, a distance of forty miles to the residence of Massassoit. His companion the second time was *John Hampden*, supposed by Belknap and others to have been the celebrated patriot of that name, who is known to have meditated settling in the colony.

and cherished by the peculiar circumstances of the colony, even among a generation that came

——“not as the conqueror comes,”

may be gathered, we fancy, even from the little fact of the hardy old chieftain's having chosen, or his neighbours for him, to transmit his title, with his memory, down to the latest ages, in the name of the “*Captain's Hill*,” an eminence in the town of his residence, which is still well known by that appellation. It reminds us of a place in a neighbouring town (Scituate) called “*Cornet's Rocks*,” from the commission of a gallant Mr. Robert Stetson, if we mistake not, who commanded the first troop of horse ever raised in the colony ; and whose descendants, by the way, of his own name, in the eighth generation, still remain on the spot. Every reader of the old records will remember the scrupulous respect with which the divers lieutenants, quarter-masters, and sergeants of the times, whose names occur, are allowed the accompaniment of their several titles.

The year after (1657) Gov. Bradford followed Standish, at the age of sixty-eight. He, too, though bred among the yeomanry, and in hardy habits, inherited a large patrimony, and well knew from his education how to feel, as well as how to resist, the difficulties he was here destined to meet. Having lost his first wife by drowning, at Cape Cod, he formed an alliance a few years after with a lady whom he had known in England, and who accepted the overtures of marriage which he made her at Plymouth, and came out to join him. She was highly educated (like many others in the colony), though probably not better than himself, as he was well acquainted with several of the ancient languages, spoke the French and Dutch with ease, and was distinguished among the theological writers of his time.

Mrs. Bradford died in 1670, at the age of eighty. One of her sons, a man of much note as “*Major*” in Philip's war, was deputy-governor in 1692, and deceased, leaving fifteen children, at the age of seventy-nine, in 1703. Mr. Cobb, who died at the age of one hundred and seven, in Kingston, in 1801, (born at Plymouth,) remembered this funeral distinctly. Cobb also was intimate in his childhood with Peregrine White, the first English child born in the colony, who died indeed as late as 1704, at the age of eighty-three. Our author mentions that one of the major's sons lived to be eighty-three, and his widow ninety-three ; and other cases are recorded in the history of the family, which indicate that the original constitution was not altogether enervated by the lapse of time. The name has always been distinguished. We have noticed in the old grave-yard on the

hill, in Plymouth, that a monument has been erected to the governor's memory, by some of his decendants, within the last two years.

In 1672 died Mr. John Howland, another of the May-Flower's company, and described in this history as the last of the number who lived at Plymouth. The latter statement has the air of an inadvertency, since we find a notice of the death of Thomas Clark, considered by tradition the mate of the ship, and the first who landed on the island in the harbour, which still bears his name. Howland was about eighty years of age. Clark, who lived till 1697, was ninety-eight, as his tombstone on the hill yet shows. This is the same personage, if we understand it, sometimes called "Silverhead Tom" in his day, from the circumstance of his having been tomahawked by the Indians, (in a house where eleven of his fellows were massacred at the same time,) and having ever afterwards worn a silver plate on his head. The Doctor believes that he died in Plymouth. The Pilgrim's Society have in their cabinet an old mug, which by his descendants is traced back to him; and also a leather pocket-book, with his initials stamped on the cover, to which the same origin is allowed.

The last of the signers of the famous original compact in the cabin of the May-Flower, was John Alden, who died at Duxbury in 1686, aged eighty-nine—another of the same school with Standish, whom he succeeded in his office of treasurer, and not unworthily described by one writer as an "iron-nerved puritan, who could hew down forests, and live on crumbs." His connection with that veteran, indeed, seems to have been somewhat more intimate, as will appear from a reminiscence, which, as our venerable historian has not deemed it beneath his notice, we shall venture to introduce. It is one of those "little things" which we began with saying that we want more of in our histories.

The tradition is—as Alden, one of the old man's descendants has preserved it in his "*Epitaphs*"—that some time after Standish lost his first wife, he conceived a *penchant* for one Miss Priscilla Mullins, described as a daughter of Mr. William Mullins, but not otherwise to our knowledge a person of distinction. For some reason not given, the captain commissioned his friend Alden to act as his messenger in the case. The father was to be first consulted, which was done and his consent obtained without delay. Then the damsel, by his direction, was called into the room, and Alden, whom all accounts represent to have been a very handsome man, delivered his errand in a very handsome style. Miss Priscilla listened—paused—mused—and at length, fixing her bright eyes upon him said, with a smile, "*Prithee, John, why don't you speak for*

yourself?" We will not pursue the details, but it may be easily conceived that the business was soon settled between these two parties. The captain, it is said, never forgave his messenger to the day of his death, but the marriage nevertheless took place, and from this union have issued *all of the name of Alden in the United States*, not to mention a multitude of other names, including the maternal ancestor of two of the presidents of the union.* A grandson of John, who died at his own place at the age of ninety-three, was the father of the revolutionary colonel who was killed by the Indians at Cherry Valley in 1778. Others of the family were distinguished in that war, as well as elsewhere, and the career of the venerable president of the Massachusetts Society of Cincinnati, now the proprietor of the domain at Duxbury, is witness that the spirit of its earlier possessors is by no means yet extinct.

The genealogies of many of the distinguished families we have named, are given by Dr. Thacher in detail; going back, as we have hinted, in some cases, to the heraldry of their fatherland. It is minutiae like these, we repeat, which, at the same time that they forcibly illustrate the richness of our historical materials, make us realize, also, the shortness of our little national life, and the strange rapidity of the results which have come into existence from the date of its commencement.

An apparently trivial discussion connected with the name of John Alden, enforces the consideration again. Alden has been considered by some of his descendants, we believe, a candidate for the honour of being *the first of the company to set foot on the American continent*. How that was, is not a matter perhaps of great moment; but it is of some interest to see such a question raised, and especially to see it determined. It reminds us of our recency, indeed! The Doctor says, that Alden does not appear to have been on board the first shallop that landed at Plymouth. There were eighteen of these, and it is to be observed that *the names of fourteen are recorded*; the others being the gunner, and three common hands. Neither was Mary Chilton among them, though a claim has been advanced among her descendants also for her. This is derived probably from a tradition, that when the ship came into the harbour from Cape Cod, after the exploration of the shallop, she entered the first landing-boat, and looking forward, as they approached the shore, exclaimed, "I will be the first to step on that rock!" a feat which she accomplished, by consent of the crew. This is likely enough to be true, but we do not perceive that the damsel, enterprising as she was, can be allowed to have been the first to tread the soil, even if she was one of the women who

* History, p. 158.

went ashore "to wash" at Cape Cod, which the tradition at least does not assume. Were we to offer an opinion on this important point, it would be decidedly to the exclusion of all the candidates we have heard of, and in favour of the worthy Miles Standish. It is matter of record, that, on the day of their anchoring in the harbour of Cape Cod, the 11th of November, old style, they landed fifteen or sixteen men, to reconnoitre, and procure wood. These men went well armed, and were headed by our gallant captain. Who more likely than he to have disembarked in the van? He was not a man to be *slow* on any occasion, especially where any thing like martial courtesy or personal pride was concerned; and more especially upon one like this. None was more likely, moreover, having done it, to say nothing about it. The captain was neither a talking nor a writing man. He had other things to do.

In the same train of reflection which has suggested our notice of this question, deserve to be included the various memorials, in the shape of relics, which are still to be seen on the pilgrim soil. The company's progress may almost be traced by them, independently of records, like a man's route on the beach by his foot-prints. A fragment of the old rock, of indisputable though only traditional authenticity, still remains in its original bed. The same authority had fixed the site of the store-house, when, about the commencement of the current century, in digging a cellar, sundry tools and an iron plate were disinterred some seven feet below the surface. The Doctor calls it the south side of "Leyden Street," near the declivity of the hill. This street was laid out soon after the landing, and still remains as it then was. The spot of the first burying-ground—the same which tradition represents to have been levelled and sown over the second season, to conceal the number of graves from the savages—may also be considered as identified. Deacon Spooner received this information from Elder Faunce (mentioned above), and the latter, as we have mentioned, derived his knowledge from the first settlers themselves. Mr. Spooner has been dead now some eighteen years. So clear is our communication with our own origin! Tradition, under such circumstances, may be deemed worthy of a place among the sources of history which it has not always held. This rumour is confirmed precisely, it appears, by corresponding statements made by another intelligent and aged person to the learned editor of the "Memorial." That also was derived from the family of Faunce.

Another of these popular rumours has fixed the location of the sessions of the old general court. This was established in Plymouth as early as 1634, when that assembly unanimously voted that their "chief government," as the historian calls it,

should be held there, including the residence of the governor himself, and all the courts which concerned the people at large. The present residence of a citizen of the town in Main street, is understood to occupy the identical spot of these sessions; and it is farther stated that a part of the original timber was incorporated into the present building. The frequency of that practice is certainly sufficient to divest the story of any essential improbability. We think we have heard a venerable citizen of Boston, formerly of one of the neighbouring ancient towns, remark in reference to this custom, that the old mansion of his nativity, still standing, and still in the possession of the descendants of the generation of the first settlement, and of the same name, was considerably *younger, on the whole, some seventy or eighty years ago, when he lived in it, than it is at the present time.* It had then been recently re-improved, according to the economy of the age.

There can be still less doubt respecting the traces, which are yet very plain, of the fortification erected in Philip's war, on the hill, where we have often seen them. This was a gloomy and critical period. The existence of the colony was at stake. All the males, of sixteen and upwards, assisted in this labour; and their alacrity has left a mark on the soil not soon or easily to be effaced. It ought to remain there for the gaze of coming generations; and we cannot but join in the regret expressed by the Doctor, that the famous three old cannon which were first planted upon these ramparts, and precisely one century afterwards upon Cole's Hill as a defence against an enemy of a very different description, should have been so lightly esteemed, as to pass eventually into the use of a forge in a neighbouring village, under the denomination of what is called "refuse" iron! Too many of the most precious memorials of our antiquity are treated in like manner. We are scarcely old enough, on our oldest soil itself, to bear in mind that we have any history at all; or that we are likely to have a posterity who may feel some interest, though we may feel ever so little, in preserving and interpreting, for their own benefit and for that of future time, these palpable and eloquent indications of its eventful stages.

The author of this history, however, we acknowledge with pleasure, is by no means obnoxious to this charge. We cordially give him due credit, not only for the monumental elm he has planted in the centre of the old fort, to nail that curious remembrance as it were to the soil, but for all the little cabinet of historical shells and fossils which his research has disinterred from their privacy, and which his reverence for the spirit of the days and the deeds which they vindicate, has enabled and induced him to allow some humble place in his honest pages. We

sympathize with him as here and there he adds an item to the list : we rejoice with him alike over Mrs. Hayward's Winslow pearl spoon ; over the sitting-chair, once screwed to the cabin-floor of the May-Flower, for the use of a lady who had not yet learned how to walk in a right line at sea,* as well as the one of English oak, its fellow passenger, reputed to have been Governor Carver's ; over the watch-purse of beads, which Mrs. Penelope Pelham made on the voyage, and the little ante-revolutionary powder-house on the north end of the hill ; over the fragment of Governor Winslow's chest, and the mound which shows where "Mrs. Cotton's scholars" set up their fort in the time of Queen Anne's war ; over the helmet-shaped, feather woven, "identical cap worn by King Philip ;" over silver-head Tom's pocket-book and china mug, over the veritable sword-blade used by Miles Standish, iron pot, pewter dish, and all ; over every thing, finally, not forgetting the rich assortment of stone tomahawks, and arrow-heads of bone, every-thing however humble, small or rude, which, ever so slightly, may help to instruct or to gratify the new pilgrims of the far future, who shall come in the days when the least of these little things will have their value, from villages in the ranges of the Rocky Mountains, and from regions of the remotest north and south which bear as yet no better name, to visit that,

" holy ground—

The place where first *they* trod."

Those gentleman, especially if they come upon rail-roads, and, more particularly, if the economy of some aeronautic or other expeditious conveyance should be adopted, will have leisure on their hands, we hope, not only to look over Dr. Thacher's volume, which, of course, will be among the preservations, and, we trust, intelligible to the linguists of such generations, but likewise to examine with their own eyes the musty and cramp records themselves, which he has so diligently studied. They will see there the very hand-writing of the patriarchs of freedom. They may hold in their hands the box which still contains the charter of the Plymouth council, given in the fifth year of Charles I., with the signature of the Earl of Warwick, as president of that body, and the seal of the first James, as king. They may pore over the commission given by Cromwell to Edward Winslow, with the forms of the letters, in the lord protector's signature, perhaps yet remaining, though none of the ink be left. The Old Rock, too, and the Old Hill "where they lie," and the Town Brook which

* Now in possession of a descendant of Peregrine White. A chair supposed to have been Governor Bradford's, is elsewhere mentioned as extant.

Massassoit came over to make his treaty, and the "Captain's Mount," over the bay on the left, and the bay itself—

"The waves of the bay where the May Flower lay"—

all these, and more of the monuments which tradition has made eloquent of the past, and which history will now make holy for the future, will be here, watching

"The bed of the brave who have bled,
And shall guard this ice-bound shore."*

The man who stands in the midst of these eternal memorials, in any age of coming time, must be dull, indeed, if they bring not back to his soul, as in a dream, the whole picture of the past. The very names of all which he sees around him will speak volumes of history. He will feel, for once, the reality, as well as believe in the truth, of the statements, familiar to his ear from his infancy, but yet so much like the dim fables which float over the origin of older nations. He will comprehend the whole story of American progress from its earliest germ. As he stands and gazes from that place of graves, far out on the sea which spreads itself before him, still as it spread "that day," he will discern that one tempest-beaten ship—

"Remote, unfriended, melancholy, slow."

It plunges on through surge and storm; staggering under many a shock, but not destroyed; wavering from its course, but gaining it again; and pressing on, and pressing on. He sees them cautiously approach at last. They advance, retreat, sail up and down along the coast. The prospect is by no means flattering. The hills are covered with frowning woods, or white with snow. No human habitation can be seen. No voice is heard. No sound disturbs the awful solitude, which seems to have reigned here till now from the first creation, but the scream, it may be, of the eagle, frightened from the pine, and the dull dashing of the surf upon the rocks. The skies above them, too, are veiled in gloom. The wind howls through their worn-out rigging. All is desolate. The eye, so weary with the sight of waves, strains itself to find some smoke, some stir, some proof that the *life*, which must have been here once, has not gone out for ever from a land deserted, it would almost seem, even by its Maker. It is the vast silence† of a world without a name.

The little vessel still draws nigh. A small company, of both

* Pierpont.

† We have used the fine phrase of Tacitus, in his sketch of the desolation of Britain, after the Roman conquest—"Vastum ubique silentium," &c.—*Agricolæ Vita*, cap. 38.

sexes, and various ages, may be seen. Presently they throng the narrow deck, and signs of intense interest appear in their movements. The voice of command is heard. The old sails, which have borne the weather of five rough months, are lowered. An anchor is thrown out, with a ready attempt at a cheerful "heave ho!" on the part of a few sailors, who feel that, for the present, they have nearly finished their work. The rest feel that they are about beginning theirs. A continent was all before them where to choose, and they have chosen this dreary spot. They have come, not to find a country, a government, a kindred population, a cultivated soil, a civilized and Christian society, a wide-spread commerce, a warm home, but to make them all. They will this day begin afresh; and it will be a new epoch in the history of the race. From their own loins will spring the populous nations which shall cover this lonely soil. This shattered bark is the type of magnificent fleets, whose sails shall waft into the crowded cities along its shore the wealth of every clime. The embryo of a government has been conceived in that dull and smoky cabin already—in the midst of a shivering group of women and children, affrighted, feeble, moaning, and sick,—a government, the first the world, in its long history of revolutions, and oppression, and bloody struggles, and vain longings, has ever seen, which is founded upon the one clear simple principle, of the will of the people to be governed by themselves.

Two short centuries have past, and all is done. Other nations have, meanwhile, gone on mostly as of old; or the changes they have witnessed have been but a stale repetition of the stale history of slow progress or dull decay. But the curtain has been raised from a new hemisphere. A world has risen from the waves. Millions of happy beings are felling its forests, and tilling its soil; and cities are rising like exhalations on the banks of the mighty rivers, and upon the shores of the sea. Its commerce covers the ocean. Its navy contends with the proud squadrons of the island from which the *May Flower* has just made her *escape*. The descendants of her company have triumphantly defended their self-asserted freedom from the whole power of the parent empire; and have established a political system which has been for fifty years the model or terror of every civilized sovereignty on the face of the globe. Their descendants!—Aye, the sons of those forty or fifty males, and half of them perishing within the winter! The sons of about as many men, it may be, as there now are free and independent states!

Such, faintly hinted, are a few of the reflections suggested even by the mention of the memorials of Plymouth. No person, intelligent enough to feel an interest in reading any

thing, can read this volume without a sense more vivid than he can have felt before, of the stupendous drama of the history of the pilgrims.

These, however, are but great general results which have been alluded to. There will be to every reader a source of a different but not less lively interest in studying out from its pages—especially if it be the first time that the annals of this ancient colony have chanced to arrest his notice—the minute, daily, domestic, and sometimes awkward development of just dawning or first-attempted notions and experiments (on the small scale adapted to the circumstances of such a place and such a population,) which have since become established and cherished institutions; perhaps a portion of the very framework of society at large, and of government itself. It is amusing, in many cases at least, where a more solid sort of edification is not to be gathered, to trace out these small beginnings and these instructive efforts, of a people so extraordinary as this was; trained by such an experience—so strangely placed—so straitened and yet so stimulated by circumstances wholly unprecedented in history, and only less extraordinary than themselves. The pilgrims have been known chiefly heretofore as the pilgrims alone; but our author has let us into the secret of their very households and hearts. We see now what manner of people they were in all things; what legislators, what citizens, what Christians, what soldiers, sailors, hunters, fathers, husbands, men.

Nor is it by any means to be regarded as mere gossip—the detail which thus introduces them as it were personally to our acquaintance. It is not an idle curiosity alone which feels an interest in such information. These things are the explaining context of their general history, and the running commentary upon it. Their personal character entered largely into their public administration. Their collective progress, and their collective fame, was and is the result of their individual traits. We want, therefore, to scrutinize them. We want to see them at leisure and at home.

Those who choose to pursue researches of this sort will be thankful, we think, for the opportunity offered them here. They will find out things that were never found out before. They will discover the small sources of great virtues; and the trifles which explain great marvels; and the little considerations which more or less extenuate great faults withal;* and

* We need not perhaps more specifically state that, whatever eulogy we may pass on certain passages in the history, or certain principles in the character of the pilgrims, we intend to furnish no pretext for a just accusation of being blind to their faults. Some of them were 'great ones. But this topic has been elsewhere pretty thoroughly discussed,

they may criticise and analyze and apologize at their ease. This is the charm of history, after all. It is to be furnished with the facts, not with a collection or a selection of them, according to the taste, and still less according to the theory of the compiler ; but with all of them. It is to know men and things as they were, and are. Let the writer do this whatever he may do more. He may philosophize if he pleases, and as he pleases, but he will be no blind guide leading the blind. His readers may pass judgment on his philosophy and his facts too. They may philosophize for themselves.

Dr. Thacher has conducted his enterprize upon this principle, and there never was a better occasion to do so. As to the pilgrims of Plymouth, above most other men, we want as few hypotheses and as many facts as possible. It was essentially itself a trait of their character, and an indication of still more, that their character appeared in every thing they did and said, and in many things besides which they did *not* and said not. Nothing about them is unimportant. The great things give us the *measure* of such men, but the little things give us the *likeness*—the *life* itself. The same remark applies to customs, laws, institutions, events, to whatever is the legitimate subject of such a history as this.

There is an infinite interest of this description, for example, in tracing back the peculiar elementary principles of government and its administration, which chiefly distinguish our own country from all others of ancient or modern times, to their germ in the glorious little compact of the May-Flower's cabin. Would it were yet possible to revive with it all the details of that occasion ;—the hour, the ceremonies, the spectators, the comment, the whole scene ; and, most of all, the discussions—of principle—of policy—of consequences—which must have preceded and attended and followed, day after day, and month after month, the consummation of the deed. Then, with its own soil around its roots would it *live*, in truth, with all its primal freshness, in the minds of men.

Still much remains ; the instrument, the fact of its execution, the names of its signers, the season of its birth ; just enough, perhaps, of the reality of the whole proceeding to interest the imagination and the reason most in the effort of completion. The *effect* of the measure, we need not say, is a topic not likely to be soon exhausted. It is essentially inexhaustible. Time only can develope it in full.

This, at least, we can know. We can learn here, as far as the facts are furnished, the true character, the private life as it

and it is not of either so agreeable or so indispensable a character as to demand a fresh enforcement here.

were, the sources, the operation of one thing which we can study no where else as well ; and that is, as Mr. Baylies calls it in his history of the Old Colony, "*pure, unmixed, and perfect democracy.*"

The pilgrims were not men who talked and wrote idle words. They were no theorists. Their very words were acts. They pledged themselves with their pens, and then acted their pledges out. On the basis of the bible, (as they supposed,) and with the will of the majority as their first political principle, they set up a government for themselves, which the compact had already shadowed forth. That compact was their constitution. They adopted no other. That instrument recognised a general allegiance to the king, but it left all power to be exercised by the whole body of associates ; and it was so. It was exercised with a directness and a simplicity scarcely to be believed. No preliminary laws were enacted, even for general organization. No use was made till 1633 of their *patent* privilege of law-making at all. Crimes and punishments were not even declared or defined. John Billington, as we have seen, was tried by the whole company. So were the two servants, guilty of fighting a duel—the first ever fought in New England, and the *last* too in the Old Colony, so far as we know. The governor, indeed, remitted their sentence after they had been tied head and feet together for an hour. This was discretionary, as the governor and assistants indeed maintained most of their little authority by virtue of common and continual consent. These were the only magistrates. The governor for some time had been alone ; Mr. Carver, whose name is at the head of the signers, having probably been at that time designated for the office by the company ; while the military department was, with the same unanimity, though perhaps with still less form, assigned to Standish. These men were the best qualified, and were therefore chosen. They accepted on their own principle of obeying the majority,* and upon that principle were also obeyed. All affairs which they could attend to, were left with them. The fewer officers, it was thought, the better ; the colony intended mostly to take care of themselves, and to take care of their officers besides. The office of justice of the peace was unknown. After the company grew tired of trying crimes in person, juries were selected out of the whole body, and these performed their duties in the general court, when that came to be established. As the population increased, and the settlements extended, officers and laws of course were multi-

* Very often, as these records show, with great reluctance, and probably at considerable sacrifice. There was no office-hunting in those days.

plied. The application of the first principles was pursued in details and modified by circumstances, as the general good, still interpreted by the general voice, required that it should be. And so, step by step, the machinery of our republicanism was wrought out and set in motion and tried and re-tried, and improved on, and finally established or set aside.

The jury was "ordained" in 1623. An execution took place under its action, in 1630; that of the same Billington whom we have named as the first offender; a fellow incidentally shuffled into the company at London, and rather remarkably indicating by his history the difference between their character and his own. The crime was murder. A grand and petit jury both, are mentioned on this occasion. It also appears that advice was asked of "Mr. Winthrop and others, the ablest gentlemen in the *Massachusetts Bay*," who all agreed that the culprit ought to die. The capital offences were declared in 1636, when the "general fundamentals" were agreed on. Four years after, the patent of the colony was surrendered to the freemen of it, and they proceeded to act as a strict independency. Constables and constable-wicks were established. A general assembly for legislation of all the Plymouth towns was held, on the 4th of June, 1637. In 1641 public provision was made for the poor. In 1643 took place the memorable *first union of the New England colonies*, at Boston; a confederacy, by the way, recognised and countenanced, without exception, by the royal authority, till the Restoration. In 1649, seven "discreet men" were chosen to attend to certain specific duties, and the affairs of the town generally—being, in fact, though not in name as yet, the first "select men;" and this responsible function was subsequently past upon more in detail, at various times. Imprisonment for debt was authorized in 1668, for preventing the diversion of the execution of justice by fraud or coven. Gradually we find mention of coroners, tythingmen, raters, commanders-in-chief, with all the minutiae of military titles, and agents, and commissioners, and many more. Councils of war, courts, sessions, counties, inquests, schools, taxation, and other links of the grand system emerged and grew slowly into shape, till at last, when it would seem to be once fairly matured—the experiment tried—the circumstances passed and passing away, which both suggested and required, and which alone required the existing state of forms—the venerable old government waned calmly to its close, and falling into the arms of its younger neighbour and best friend, the colony of Massachusetts, breathed its last at the age of seventy-one years, in the autumn of 1691.

Our historian has written a just epitaph, over the grave of this "novel and primitive government." He appreciates the

“melancholy grandeur,” of its history and its extinction, as being, like the condition of affairs which surrounded and sustained it, as the flesh invests the skeleton, without a parallel in the annals of the world. Here, in fact, as President Dwight has remarked, began all the institutions by which New England, at least, is distinguished ; many, if not all of them, passed through various stages, and their progress may be seen from step to step, till they end in the mature result. Thus all the modifications and experiments upon the tenure in land, including a fair trial of property in common, settled down into the system of free socage. Thus the right of suffrage was finally wrought out. Thus towns, with all their traits, were established ; and the systems of legislation and representation, and schools, and religious polity, devised, which have proved the foundations of a structure of society unsurpassed in principle, and unequalled in prosperity, as at least its own members would fain believe, by any which the world has ever seen.

The purity of the spirit with which this government was administered is scarcely less remarkable than the government itself. The indications are very frequent and striking throughout of the supremacy, over all other motives, of a few certain principles of primary rank, none of which, nevertheless, it may be said with safety, have been developed with equal distinctness in any considerable instance which history records. All may be resolved perhaps into the fear of God, and the love of liberty ; both intimately interwoven with each other, as with all the subordinate principles which resulted from them. It was these which suggested the great enterprise of colonization. These were the “*fanaticism*,” as a modern writer—one of their descendants, we presume—has ventured to call it, which sustained them in surmounting the almost inconceivable difficulties which attended it. If a passion to be free, and a determination to be so,—if, especially, a preference of the accomplishment of that divine destiny which man was made for, over every sensual consideration which makes and has made other men *slaves*,—if this be fanaticism, they were fanatics in their scheme of founding a country which should be, and which has become, through their “*fanaticism*,” not a refuge only for themselves and their descendants, but a “*great realm*,”—“*an imperial patrimony of liberty*,”—as Mr. Everett called it, the first effectual counterpoise in the scale of human dignity, an asylum for the statesmen, the generals, the princes and kings themselves—all the victims of tyranny in every elder clime ;* a grand theatre, through future time, for the vindicating, and the showing forth to the world’s gaze, of the destinies and rights

* Mr. Everett’s Plymouth Oration, of 1824, p. 9.

of the race. This was the fanaticism of their purpose. It was the fear of God above the fear of man, and the love of liberty above the love of ease. It was the soul which could discern the accomplishment of their design, vast and remote as it was, through all the clouds that lowered above their heads ; and which could appreciate the difficulties also ; and which, seeing both, resolved, with God's blessing, to accomplish the object, or to perish in the effort. A superior enthusiasm,—a glorious passion,—a far-reaching intelligence, beyond the power of the age they lived in, but not we hope of *this*, to appreciate—these we *can* see ; but the fanaticism which has been discovered in their enterprise, we do not comprehend. We shall not probably, nor we fancy will their descendants generally, be brought to that amazing pitch of wisdom, till at least we can be made to understand the falsity of all history on the subject of the circumstances which induced them, men as they were, to sacrifice, for the great objects we have named, almost every thing in their own country which men hold dear ; and to understand also where better they could have gone, or what better they could have done, for the rescue of themselves, and of their posterity, and of the rights of all mankind, from those circumstances, and from all others, of like kind, which stand, by a needless necessity, in the way of a free developement and exercise of the destinies and faculties of human kind.

'This, however, will be deemed a digression, and we confess that a paltry phrase has occasioned it. We were saying that the two great pilgrim principles were the love of liberty and the fear of God. It would be a labour of deep interest to trace out, as the materials before us enable us to do with a new facility, the operations of these motives in various forms ; how especially they were, or were meant to be, evidently and essentially, the life and spirit of all their systems within systems of civil, literary, personal, and religious polity, and how, of course, a grand harmony exists, and may be found, among them all. This investigation, however, would lead us too far ; and the materials we refer to are not in our hands alone, but in those of the community at large. They are rich data for a just appreciation of the true character of a generation, on the whole, the most remarkable, and of a career also the most signal and important to the world, of which any record has preserved a sketch. They will bear to be studied, and we hope they will be studied still more than they have been. We owe it to ourselves from the relation we hold to them, if not to them for what they have done for us. Every American, at least, should be master of the History of Plymouth.

ART. XI.—*Special Message of the President of the United States, transmitted to both Houses of Congress, 8th Feb. 1836.*

“The peace of a nation does not depend exclusively on its own will, nor upon the beneficent policy of neighbouring powers; and that nation which is found totally unprepared for the exigencies and dangers of war, although it come without having given warning of its approach, is criminally negligent of its honour and duty. I cannot too strongly repeat the recommendation, already made, to place the seaboard in a proper state of defence, and promptly to provide the means for amply protecting our commerce.” Such are the words of wisdom which occur in the special message of the president which we have placed at the head of this article. There are few persons who love their country and are alive to her interests and honour, who will be disposed to gainsay their truth or withhold their testimony from the fact which so many considerations of paramount importance combine to demonstrate, that the moment, so long and so fatally deferred, has at length arrived for the creation of a navy.

When our history as a nation so gloriously commenced, in the war of the revolution, the consideration of the advantages of a naval force for the annoyance of the enemy, engaged the attention of the sages who guided our destinies during that eventful era, and led to the appointment of a naval committee by congress, charged with the creation of a navy. The power vested in this committee was subsequently delegated to commissioners, and eventually to a board of admiralty. The force provided under these auspices, was of an extent inconsiderable, in accordance with the poverty of our resources: yet the enterprise and hardihood of our seamen did not fail at that early period to assert themselves, in a species of partisan war confined to our coasts, with an occasional encounter on the ocean, in which the achievements of Jones and his compeers were significant of the future glories of a Decatur, a Hull, and a Perry.

When the war closed with the acknowledgment of our independence, the commercial energies of our people were released from the colonial bondage under which they had so long withered. We had inherited all the maritime tastes and capacities of our forefathers, and our geographical position along the coast of a vast continent, rich in valuable natural productions suited for commercial exchanges, and teeming with materials for the construction of ships, at once impelled us to enter that career, which has brought us, after the brief interval of half a century, to the rank of the second commercial power.

Our navy had almost entirely expired at the close of the

revolutionary struggle, and an annual appropriation of thirty thousand dollars alone preserved the feeble remnant of its vitality, in the midst of a rapidly extending commerce. The Barbary powers, whose cruisers then prowled over the Mediterranean and the coasts adjacent to its mouth, were not long in discovering that the richly freighted vessels which they encountered under a new flag, were destitute of the protection of a navy. On the withdrawal of a Portuguese force which had restrained the rapacity of the Algerines, and, actuated by a dictate of humanity, had extended its protection to the peaceful traders which our government failed to defend, these rovers put to sea and in a brief space captured and carried in eleven American ships, consigning no fewer than a hundred of our fellow-countrymen to the horrors of captivity. The sympathies of the American people were doubtless excited in their behalf; but the government, which notwithstanding its popular character, seems to have, as much as any other, and more than some we might name, the attribute of being ever behind the feelings of the people, was in no condition to put forth a strong arm of relief, any more than it had been previously able to extend that of interposition.

In 1779, being several years before these occurrences, an act of congress had been passed authorising the appointment of a secretary of the navy, and the construction of six ships of the line with smaller vessels; and an appropriation of a million of dollars was made towards carrying these measures into effect. The construction of these ships was arrested by the peace; one, we believe, was finished, and presented to the king of France, and the materials for the rest sold. At any rate there was no navy to redress the wrongs of our captured countrymen, or to protect the lives and property of such as remained still at liberty on the high seas. It was therefore resolved that a navy should be provided, and that six frigates should be built and ten galleys purchased for the chastisement and repression of the corsairs. Whether it were found cheaper and more congenial to our national policy to purchase the forbearance of these pirates by tribute money instead of cannon balls, this force was never equipped. There was a jealousy of the navy, and the expedient of its creation had been but a temporary one. The materials were sold with the exception of those used in the construction of three frigates, which were already advanced towards completion. It would have been an expensive process to break them up and sell them piecemeal, and in their then form they were not a marketable article; as an only resource it was therefore determined to retain them. These three frigates which we could not sell, were the *Constitution*, the *United States*, and the *Constellation*. Each of them has upheld the

flag of our country—how honourably, let history declare! The Constitution was in the brief interval of two years three times victorious over the mistress of the seas. Is there a name in the whole course of our annals that awakens such proud and noble emotions as that of Old Ironsides? The sum of money which should repay us for the sale of this ship and the enduring capital of glory she was destined to accumulate for us, and of which no after circumstance can rob us, is not an inconsiderable one; it is somewhat more than the surplus revenue at any rate. This may be expended for purposes glorious or inglorious; or it may escape detection when we come to look for it, and vanish into thin air. But the glory won for us by the Constitution is consigned to the safeguard of history, and is imperishable. And here it may be curious to observe how early our capacity for the creation of a navy was developed by the complete success of these first experiments. All these ships possess admirable qualities; for they still exist, reconstructed indeed from time to time, but without variation of model. At the very first step in our naval construction, we attained a degree of perfection which we have never been able to surpass.

The propriety of the act of 1794 which authorised the building of six frigates, became soon after sufficiently manifest, attended doubtless with lively regrets that from economical motives only three of them should have been completed. In 1798, but four years after the passage of the act authorising the construction of the frigates, and of course a much shorter time after those changes in our councils which led to the sale of the materials of three of them, our relations with France became disturbed in consequence of her encroachments on our neutral rights; the necessity of a navy became apparent, and an act was passed to authorise the president to build, buy, or hire, twelve vessels of twenty guns each, for the protection of our commerce. To build them in time for the emergency, when that emergency had already arrived, was of course impossible; they were therefore bought or hired from the merchant service, with such defective adaptation to warlike purposes as may easily be conceived. In tracing even a few of the more prominent fluctuations in the action of our government, the necessity of having a navy being enforced at constantly recurring intervals of three or four years, by the captures of our ships, and oppression of our countrymen, and succeeded, when the emergency was temporarily over, by a jealous and sordid feeling towards the service, and the alternate buying and selling which attended these fluctuations, one would be astonished and baffled at such hopeless stupidity, could not the same course be discovered throughout our legislation down to the present day. It is not long since we have seen a "flying squadron" of small

and ill-constructed vessels purchased for the service at high prices and sold again at an under value, without having rendered the least benefit ; and quite recently we have had our " musquito fleet" of Baltimore wood boats, bought and commissioned, and sent to cruize against the West India pirates. Many of these vessels were constructed entirely of pine, even to their timbers ; all of them were unsuited to the navigation of the open sea, or any waters more boisterous than those of Chesapeake Bay. Yet they were sent out ; and the loss of three of them (two with every soul on board), will, we hope, furnish a sufficient lesson against such purchases hereafter. Our ships of war must be built in seasons of leisure, not purchased in moments of emergency.

These ruinous errors in the early stages of our navy were not, however, committed for want of wise and prudent men engaged in the councils of the country to call the attention of congress to the necessities of our condition. In the report of the secretary of the navy in 1798, we find the following passage :—

"The protection of our coast, the security of our extensive country from invasion in some of its weaker parts, the safety of our important commerce, and our future peace, when the maritime nations of Europe war with each other ; all seem to demand that our naval force should be augmented ; so much augmented, indeed, as to make the most powerful nations desire our friendship, the most unprincipled respect our neutrality. The peaceful character of America will afford to the world sufficient security that we shall not be easily provoked to carry the war into the country of an enemy ; and it will become the wisdom of America to provide a cheap defence to keep it from our own."

In view of considerations so paramount as these, it seemed about to become the settled policy of the country to have a navy sufficiently formidable for the protection of our extended commerce, and it was determined as a step towards it, that six frigates should be kept constantly in commission for the defence of our merchant ships, and as a school for the formation of officers. This policy, however, as in so many previous instances, was almost immediately abandoned ; and even after we had been involved in new difficulties with the Barbary states, and compelled again to purchase in a hurry such vessels as could be procured, at prices regulated by the urgent necessities of the purchaser. In the haste and confusion of creating, in a few months, a navy, which required the growth and nurture of years to bring it to maturity, every thing was paid for at extravagant prices ; ships built of green timber were put together at high wages, proportioned to the sudden demand for so much extraordinary labour ; whilst those which were purchased, were paid for in most instances beyond their value, and subsequently fitted for the service at great expense. At the termination of

the particular conjuncture which had called for the armament, the vessels being found unfit for the service were usually sold at ruinous prices, in strong contrast to their recent cost. As a single case in proof of this, it may be sufficient to instance the vessels bought under the act of 1798, which cost the sum of \$648,432, and at their sale, less than three years after, yielded but \$275,767. This example is but a fair specimen of the series of disastrous expedients which, under the pressure of constantly recurring emergencies, were resorted to from year to year as a substitute for a navy of regular and healthy growth. The waste and dilapidation which rendered our navy worthless, were also the causes of its unpopularity. Had a steady, uniform system been adopted at the commencement of our national career, and been gradually sustained in peace and in war, with the growth of our country and the extension of our commerce, we should have had, with less expense than was occasioned by these abortive armaments, a navy ample for the protection of our neutrality during those desolating wars which had their origin in the French revolution, and the rival ambition of France and England. We have always entertained the opinion that an American fleet of ten sail of the line and an equal number of frigates, cruising in the British channel and showing itself by turns to the belligerents of either party in the strong attitude of the champion of our own neutrality, would most effectually have protected it. Such a force, ready to be turned against either combatant offering us offence, would have been respected by both parties; it would have rendered our friendship desirable, and our enmity formidable. Nations like individuals do not go out of their way to seek cause of quarrel with those who stand ready to defend themselves; and the attitude of preparation to resist injury has something in it which excites both awe and respect, whilst the spectacle of unarmed and undefended wealth is too tempting to escape the cupidity of stronghanded and unprincipled belligerents.

If it be asked whether the interests we had at stake were sufficient to justify the support of so formidable an armament, it may be sufficient to state that our tonnage exposed on the high seas amounted to nearly a million of tons in 1800; our annual exports to about forty millions; which by the development of our trade were increased in 1805 to one hundred and eight millions of dollars. These enormous values, and our industrious and peaceful citizens who conducted them, would have been protected in their lawful transit on the high seas by the exhibition of such a force as we have named, at an annual expense of six millions, including the interest on the investment, the wear and tear, and the cost of maintenance in active service at sea. We are happy on enquiry to find this broad

opinion corroborated by that of a cotemporaneous statesman, who, in 1798, stated his perfect conviction, "that twelve ships of seventy-four guns, as many frigates, and twenty or thirty smaller vessels, would probably be found, our geographical situation and our means of annoying the trade of the maritime powers considered, a force sufficient to insure our future peace with the nations of Europe."

If this opinion had prevailed in our national councils of those days, and been carried into effect, we believe most devoutly that this country would have been saved from the ruinous spoliations on her commerce by England, and France and her cowering allies, amounting to an aggregate of nearly seventy millions; from the attendant detention and ruin of our citizens, and the national impoverishment resulting from lost capital and ruined resources; from the war with England, by which we expended in armaments one hundred and twenty-eight millions, lost by diverted labour the sum of fifteen millions, were cut off during a succession of years from our annual exports of fifty millions, and by which finally we were subjected to the invasion of our coasts, maugre the one hundred and seventy gun-boats that protected it; to the desolation of our shores, the suspension of our settlements in the west from a dread of the savage allies of our foe, and the general suspension of enterprise throughout the land. All these losses, together with the loss of that national honour, which was only subsequently bought back by the blood of our countrymen, we contend would have been spared us by the timely creation of a navy, growing with the growth of our commerce, at an annual expense from the year 1798 of only six millions of dollars.

But instead of arming for our defence when assailed by the rapacity of the French and English belligerents, instead of fitting out a force sufficient for the protection of the property of our citizens exposed on the high seas, we determined to withdraw that property, to arrest our enterprize, to pass from a condition of unbounded action and vitality to one of self-suspended animation, (thereby waging a war against ourselves, more ruinous than that of our assailants,) and in short, to exhibit to the world the whimsical spectacle of a nation seeking safety by shutting itself up like a tortoise within its shell. Our position was most undignified and no less disastrous. Injuries and contumely sought us out and bearded us on our coast; we had to fight at last, and to fight unprepared and with every discouragement. The circumstances under which we commenced this war, from which there was no outlet of honourable escape, were almost ludicrous. We were in a situation to send to sea seven frigates, three sloops, and eleven brigs and schooners, besides rejoicing in the possession of one hundred and seventy

gun boats. England had at sea ninety-six ships of the line, one hundred and fifty-one frigates and two hundred sloops ; and on the American coast the overwhelming force of seven ships of the line, twenty-three frigates and seventy smaller vessels. Yet, enormous as was the disparity, we sustained an honourable struggle ; wherever ship met ship on terms equal or nearly approaching to an equality, we were in almost every instance victorious. The glory which our little navy gained for us in that eventful struggle, healed the wounded honour of the nation, and was accepted as an off-set to our national misfortunes. We fought our way to self-respect, as well as to the respect of our enemy and of the world ; building up a name which, backed by an attitude of preparation to sustain it, will do us good service in all time to come.

Having thus settled our national quarrel with England, and obtained from her sense of justice and probity the liquidation of some additional claims, it remained for us to seek redress from France for injuries scarcely less serious, and which might, with equal propriety, have led to the last resource of arms, had not our national resentment been restrained by the remembrance of valuable services in our war of independence, rendered doubtless more with the desire of doing harm to England than good to us, yet still entitling her to our gratitude and friendly forbearance. We have since continued, during many long years, to present ourselves as suppliants for justice at the bar of an evasive creditor, contented, during the interval, to hear ourselves ridiculed from her tribunes as mendicants and money-hunters, until, by persevering importunity, we had extorted from her a promise to return a portion of her plunder, abated of all its probable results of intermediate reproduction. Even the fulfilment of this promise her armament has emboldened her to withhold ; unwilling herself to embark in a ruinous war, which every principle of policy rendered inexpedient, though prepared for it, she would not believe that so calculating a nation as ours would rush into conflict on a point of honour, without preparation. Our position with reference to France during this crisis, has been a false one. With a tonnage of one million six hundred thousand tons, with a value of not less than four hundred millions of dollars annually exposed without protection upon the ocean, and coasts undefended by fortifications, or the surer and better safeguard of a formidable fleet, we have held out to France that temptation for a sudden coup-de-main, which her past history shows that she is so little able to resist. Our trade, exposed to the assault of the French navy and the piracy of the world, would have been exterminated, and our inconsiderable fleet crushed and driven from the seas. At the end of two years our immense

who, on this subject at least, carried with him the almost unanimous adhesion of his countrymen, we have secured justice while we asserted our honour. If, however, the crisis is passed, its having existed is an evidence that others are to come. In this respect the history of all nations is the same ; and our own annals, so eloquent of misfortunes, having their origin in our united exposure to plunder and culpable inability to protect ourselves from it, urges us to arm for our defence. Our government is justly liable to the charge of being inattentive to the most sacred of its duties, the protection of the lives and properties of the people who have constituted it for their safeguard. Economical of money, it is often prodigal of blood ; not of the blood of its soldiers and seamen, but of the blood of its peaceful citizens, abandoned to the ruthless cruelty of a savage foe. Is it not enough to make the heart bleed to contemplate the condition of our countrymen in Florida ; and yet their fate may to-morrow become that of our countrymen at any portion of our extended frontier ! With an army of six thousand men to guard our coasts and protect our borders, economy looks with a jealous and sordid eye to almost the only useful and generous establishment which is permitted to exist. We have seen the ruinous consequences of that false economy which withheld the small expenditure necessary for the support of a navy in times past for the protection of our commerce ; in our own day we may witness the destruction of millions which are as much national wealth as the paltry sums which, if applied in season from the treasury, would have spared so awful a calamity.

In view of these facts, with the errors of the past so glaringly before us, let congress not close its present session without providing for the complete protection of the lives and property of our citizens. Let it carry out the recommendations of the secretary of war for the defence of the country, contained in his eloquent and convincing document of the 7th April last, and it will provide a safeguard, suited alike to protect us from insult and aggression.

Let us then establish from this day, the broad, the safe, the economical, the honourable principle, that spoliations on our commerce and assaults on our national honour, shall be prevented at the time by a prompt display of protecting power. It is enough to have hitherto offered to the world the pitiful and unworthy spectacle of a strong nation, unarmed through a spirit of false economy, after tempting the strong-handed to spoliation, presenting ourselves as suppliants for justice at the feet of our assailant, and wearying him with oft-repeated petitions, until something remotely approaching redress has been obtained. Let us henceforth stand ready to protect ourselves

by cannon shot, from the stout sides of the *Pennsylvania*, the *Delaware*, the *Ohio*, and other noble and worthy representatives of the states, to whose names they will do no dishonour, instead of by paper bullets, discharged and returned again without other result than damage to our national character through long years of discussion. Instead of repeating the ludicrous spectacle of the tortoise taking refuge in his shell, let us hereafter present ourselves to contending nations in the noble and imposing attitude of some antique statue of Achilles, armed and defended at all points, with calm and serene demeanour, threatening nothing, dreading nothing: yet equal to either fortune.

In much that relates to the organisation of our navy, we cannot do better than follow the example of the great maritime country from which we derive our origin. Especially may we do so with advantage in whatever relates to the protection to be extended to commerce and those engaged in it. The moment that any part of the world becomes the scene of conflict, we find her cruisers repairing at once to protect the lives and properties of British subjects, and to interpose between them and danger, while engaged in building up the wealth of the nation with their own, the ample shield of British power. We are sorry to admit that, though our government springs directly from the people, and the sovereignty is only vested in it for the public good, our navy does not extend any commensurate protection to that commerce, by which, in common with the whole of our federal expenditure, it is solely supported. This is not owing to the want of corresponding zeal in our officers, but of an adequate force, stationed at every point where our interests may be assailed. To remedy this deficiency, congress should, before the end of its present session, make provision for the immediate equipment of a force sufficient to extend effectual protection to our commerce in every sea.

The amount of this force should be regulated by the extent and value of the trade to be protected, the relative proportion which the navies of other maritime countries bear to their commercial marine, and the necessity of keeping at all times a sufficient school for the instruction of our officers, and a supply large enough to be increased, within a year or two, to the full measure of our naval capacity. There are no fewer than seven maritime nations which maintain in commission a navy superior to our own. These are England, France, Russia, Turkey, Holland, Sweden, and Egypt; possibly we might add to the list Muscat, of which we have only heard since yesterday, and whose sultan, on the recent occasion of the grounding of one of our public ships on his coast, magnanimously offered to send

one frigate to the United States with her commander and crew, and another with the diplomatic agent, whom the injured vessel had been conveying, to prosecute the object of his mission. Admitting that there was greatness of soul among us for such liberality, could we, on the spur of the moment, place at the disposal of the commander of the vessel of a friendly power, stranded on our coast, two frigates, in immediate readiness to be despatched to sea? Though there are, then, no fewer than seven nations numerically our superiors in naval force, as the two most powerful of them, namely, England and France, are alone in a condition to cope with us on the ocean in the event of a struggle, and alone in a position at all analogous to our own, we shall make them the basis of our estimate of the proper armament to be kept in commission by us in time of peace. Since we have been a nation, the only assaults upon our commerce, excepting the petty piracies of the Barbary corsairs, have come from the navies of those two nations, and from them alone are assaults likely to come hereafter. There is, therefore, a peculiar propriety in making the navies of England and France the basis of any estimates for our own.

The navy of England in commission during the past year, amounted to fourteen ships of the line, fifteen frigates, fifty-one sloops, twenty-five brigs and schooners, ten surveying vessels, and twenty-one armed steamers. If her naval power were stretched to the extent of its capacity, she could possibly have at sea, within two years, six times the force above enumerated. The navy of France in commission, is ten ships of the line, thirteen frigates, and eighty-eight smaller vessels, including twenty-three steamers. If armed to the extent of her capacity, she might probably send to sea, within two years, four times her present number, though by no means so well manned as that which is now in active employment. Our navy in commission will amount, with the appropriations for its increase, already voted by congress, to two ships of the line, seven frigates, fourteen sloops, and seven smaller vessels. This force might be extended, within a year, from vessels already built, as are all, and more than all, those belonging to France and England, contained in the previous estimates, to eleven ships of the line, eighteen frigates, fifteen sloops, and ten smaller vessels. What an enormous disparity does this statement show between our developed and available force and those of England and France! Is this disparity in harmony with an equal disparity existing between our relative amount of property exposed and needing protection on the high seas, and our intrinsic naval power? By no means! The property of England afloat may be estimated at from five to six hundred millions of dollars—France, in her own bottoms, at less than three hundred

millions—and that of the United States at more than four hundred millions.

The tonnage of England amounts to two million six hundred thousand tons; that of France, to four hundred and ninety-five thousand, coasters and fishermen included; and of the United States, to one million six hundred thousand tons. England has one hundred and sixty-five thousand seamen; France claims sixty-six thousand; and we have one hundred thousand.

Supposing the relative maritime strength to be in the ratio of the tonnage, our capacity to support a navy is to that of England in the ratio of three to five, while it exceeds that of France in the ratio of three to one. As for the materials which enter into the construction of ships, we possess these, within our own extended territory, superior in quality, and greater in abundance than any other power, whilst our builders are, by universal consent, admitted to be the most skilful in the world. If it be said that money is the sinews of war, and that, while England has a revenue of two hundred and sixty millions of dollars, and France of some two hundred and twenty millions, ours only amounts to the inferior sum of thirty millions, our answer becomes more triumphant than ever. The revenue of both those countries, and especially of England, is chiefly absorbed by the interest of debts incurred for past expenditures, and by the wasteful profusion of cumbersome and costly establishments, whilst every dollar of ours is available for the efficient service of the country. Whilst France is groaning under a weight of oppressive taxation, stretched to the uttermost, and England looking forward to impending bankruptcy, we, on the contrary, stand aghast at the unaccustomed spectacle of an overflowing treasury, for which we seek in vain some safe channel of escape. Turn it in every direction where it may promote the safety, honour, and welfare of the state, or the security of our citizens, on land or sea, engaged in their peaceful avocations! Grant to our planters and enterprising settlers upon our remote frontier efficient protection from the atrocities of slaves and savages, and follow the adventurous trader in his path of peril to every sea, with cruisers ready to spread over him the protecting flag of the republic!

If it were asked what should be the extent of our naval armament, we could not answer the question better than in the words of the secretary of war, in his recent admirable report on the defence of the country. So strongly was he impressed with the insufficiency of a mere army and fortifications to secure us from aggression, and with the necessity of providing the country with a formidable navy, without any reference to the protection of commerce, and solely with a view to defence, that

he tells the president—"It seems to me, therefore, that our first and best fortification is the navy. Nor do I see any limit to our naval preparations, except that imposed by a due regard to the public revenues from time to time, and by the probable condition of other maritime nations." The condition of our public revenues imposes at this time no limit to expenditure in naval preparations. As for the condition of other maritime nations, we have already seen how formidable is that of the two with which we have formerly been brought into warlike contact, and with which we are likely to be brought into contact in times to come. That our navy should at once be put on a footing as formidable as that of either of those powers we will not insist. They have interests connected with their foreign possessions, their vulnerability at points remote from their chief seat of power, their assumed maintenance of the balance of power, and ambitious interference with the internal affairs of other countries, with which we have nothing in common. Still the extent of their navies must ever be an important element in the graduation of ours. Though our future wars will be waged for defence and not for ambition, we must not the less be prepared to cope with the foe with whom conflicting interests may bring us into collision. We should be prepared to come out of the struggle triumphant, especially as, by being thus prepared, we can best hope to escape it altogether. We think, then, with a view to our resources and the existing armaments of other nations, that our naval preparations should be on a scale suited to qualify us, within five years, to put to sea with a fleet of forty ships of the line, and an equal number of frigates. One half of this force should be in a condition to sail within a year, and of the other half, one portion might remain constructed on the stocks, and the other in frames ready for setting up. As a nucleus to prepare officers, and to some extent crews, for these vessels, six ships of the line, with twice that number of frigates, and sloops and smaller vessels in proportion, should be kept perpetually in commission. This is the least force that could form a competent school for our navy, or extend to our commerce in every sea that ample protection which it demands, and secure it, in the earliest stages of hostilities in foreign waters, from those depredations which have been to us the fruitful cause of so many perplexities.

Of these ships, three of the line might be assigned to the Mediterranean station, two to the Pacific ocean, where we have interests of great value at stake, and one to the Brazilian station. The frigates and smaller vessels should be distributed between the stations above named, and the East and West India stations, where, for reasons principally connected with the climate, they may be more efficient and useful than large ships.

Our maintenance of a squadron in the Mediterranean had its origin in the provision of a defence for our commerce against the Barbary powers. Their piracies have been discontinued of late years, in consequence of chastisement received from ourselves and various other nations. The Mediterranean fleet has, however, still been continued, partly as a precautionary display of force, but chiefly as forming an admirable school for our officers. The languages of most use in the intercourse of the civilised world are spoken on its shores, and the means and incentive to acquire them are alike imparted to the officers of our ships which visit them. The shores of the Mediterranean, too, have been the scene of the most interesting events in the history of ancient times, and our young officers, while learning their profession in circumnavigating its entire extent, cannot fail to have their minds improved, and their genius fired, by visiting a thousand sites crowned by the pure monuments of a classic age and consecrated by undying associations.

There is, however, no good reason why our ships, having once got into the Mediterranean, should remain there like so many fixtures during three entire years; unless, indeed, the circumstance of its being the scene of hostilities, likely to interfere with our commerce or assail our neutral rights, should render the protecting presence of a fleet necessary. Perhaps there never was a corps which has been so completely the victim of inveterate and unmeaning routine as the American navy. Some four years ago, we had a fleet of half a dozen frigates and smaller vessels in the Mediterranean, at a time of undisturbed quiet, when a single sloop in the Archipelago would have effectually protected our interests there, while, at a distance of a few hundred miles without the Mediterranean, a civil war was raging on the coasts of a country with which we had an extensive trade, attended by blockades and a lawless strife, likely to affect the interests of unprotected neutrals. We allude to Portugal, and the contest between Don Pedro and Miguel. At that very moment, our diplomatic agent was negotiating a treaty for claims for spoliations on our commerce, committed under similar circumstances of protection withheld by our government at a former period of strife. The settlement of this treaty would have been greatly facilitated by the presence of a fleet in the Tagus or its vicinity, whilst it might also have served to prevent the occurrence of renewed aggressions. The fleet was, however, the Mediterranean fleet, and the commander had not the power to withdraw it. It has, however, from dread of a French coup-de-main, at length got out of the Mediterranean; the charm is, therefore, broken, the *ne plus ultra* of ancient navigators passed; and we hope that

our vessels may now freely repass the Pillars of Hercules, whenever occasion may call them.

We do not think indeed that our ships should be permanently attached throughout their entire cruise to any particular station. Why might not a ship starting for the Mediterranean for instance, touch at Portsmouth with a despatch bag, and after giving the officers an opportunity of seeing the dockyard there, pass on to Lisbon with a similar errand to our diplomatic agent, and touching at Cadiz and any other intermediate port usually frequented by our ships, report at length for service on the Mediterranean station? After having made the circuit of that sea, she might leave it again under orders to stop at certain ports on the coast of Africa, where we may have trade to protect, or interests connected with the suppression of the slave trade, and then report for service on the West India station, touching at all the intermediate islands on the way to Pensacola, and on the expiration of the cruise return home. In the same way, the vessels attached to the Brazilian, Pacific, and Indian stations, might, without departing from their direct route, cruise alternately on each, visiting all the coasts and islands frequented by our traders and whalers, and affording them efficient protection, or mechanical aid for their repair in remote and uncivilised seas. In this way we should not only have a force wherever we had commerce to be guarded, but our ships, for ever in motion, would be perpetually touching at every point at which a rapacious government might exist, and traversing every sea and channel, followed by our traders in their gainful avocations, where pirates might prowl for their interception and plunder. The value of this wide extension of our cruising grounds, our naval commanders will not fail to appreciate. We have our doubts whether one of our national vessels ever went into a port frequented by our traders without being able to render them essential services. Sometimes they require repairs either difficult or impossible to be procured, or only to be procured at extortionate charges; often they have a mast to be fished, sails to be made or repaired, or disorderly and mutinous crews to be exchanged for volunteers of good character. So on the high seas, by extensive cruising, our ships will have increased opportunities of succouring vessels in distress, and furnishing food and water to their famishing and panting crews. We might instance a recent, and, from the tragical circumstances connected with it, a notorious instance of the benefit resulting from the extension of our cruising field. The frigate *Potomac* happened to be at Lisbon when the brig *Falmouth* put in there in distress. Her captain had been compelled, in self-defence, as it has since appeared on trial, to kill one of his crew. The local authorities

were about to detain the vessel and to take cognizance of the alleged crime, when the commander of the *Potomac* promptly interposed, procured the reference of the matter to his jurisdiction, refitted and provisioned the vessel, arrested the accused captain together with all the witnesses and affidavits necessary to the trial, and placing him and his vessel under the charge of a government officer, ordered her to her port of destination in the United States. The vessel, laden with a very valuable cargo, whose detention at Lisbon would have been ruinous to the owners, arrived in due season, and the captain had the advantage of being tried by his own laws and a jury of his countrymen.

We are happy to find an opinion which we have long entertained as to the expediency of greatly extending the cruises of our ships, enforced by the high authority of the navy commissioners, who in their recent report to the secretary of the navy, of a plan for the increase of the force in commission, recommend the return of vessels on the Pacific station by the islands, the Indian seas, and the Cape of Good Hope; and that of those on the Indian station in the opposite direction, by the Pacific and Cape Horn. The adoption of this enlightened recommendation will greatly increase the protecting influence of our navy, extend the field of observation among our officers, and at the end of twenty years add almost every name on our navy register to the proud list of circumnavigators of the globe.

While the service would thus be lightened to our officers, and the irksomeness of a long period on one station relieved, the interests of the country as well as those of the navy would be greatly promoted by such an interchange. Owing to the stormy nature of the winter in the Mediterranean and the long prevalence of gales from a particular quarter, it is impossible to cruise there at that season without great and unnecessary wear and tear of both ships and crews. Though the profession of the seamen must be learned in storms as well as in calms, yet storms are always to be encountered without going in quest of them. Like war itself, they are to be expected and prepared for, but not sought after. On this account our squadron with the exception of a single ship in the Archipelago, should be withdrawn from the Mediterranean in winter, which is always passed there in idleness and sometimes in dissipation and discord in some snug port, and transferred to the temperate regions of the coast of Africa, Brazil, or the West Indies. The only inconvenience that can possibly result from this rapid interchange of ships would be the accession of new commanders unacquainted with our existing relations in the particular seas and the nature of the national interests requiring protection. This might in all cases be obviated by preserving the same

• naval power, though now latent, exceeding that of France in the exact ratio of our commercial marine to her own, would have had time to develop itself, and those resistless energies of our countrymen, diverted from the peaceful channels in which they have hitherto run with such brilliant results in the career of production; would have turned against her with a power which nothing could arrest, until swept from every sea, stripped of her colonies and blockaded on every side, she would have been driven to sue for mercy. Yet the evils of war would previously have borne hardly upon us. Not protecting ourselves, though possessing all the means of self-protection, we should have beheld our commerce destroyed, no inconsiderable portion of our national wealth snatched from us, and our seamen carried into captivity; our territory too, where assailable, would have been invaded, and the slaves and savages of our southern frontier would have been excited to carry on the war with sanguinary atrocity.

By no means the least evil of the false position in which we would have found ourselves in the event of a war with France, would have grown out of the circumstance of our enemy being even better acquainted with the condition of our fortifications, the topography of our coasts, and their most assailable points, than ourselves. Without any disparagement to the late head of the engineer department we may ask, would he have withheld his services, on a royal demand too, from his native country where, under every class of sovereigns, legitimate or self-created, subserviency has been ever unbounded? To judge by past examples of the facility with which chieftains of the imperial school have transferred their allegiance, is there the least probability that he would have failed thus to requite our hospitality? The predicament in which this individual would have been placed in the event of a war between the two countries, shows the fatal consequences that may result from the admission of foreigners to any office whatsoever. We should never run the risk of warming in our bosom that which may hereafter turn upon us and inflict a death-sting. We think that no alien should even be permitted to vote here. Where the sovereignty so entirely resides in the voter, he should not merely be pure and intelligent, but animated by an inborn patriotism, not enkindled by self-interest in maturer years. Let us concede a hospitable asylum, together with security of life and property, to those who take refuge on our shores from the hunger and oppression of other lands; but reserve in our own hands the power which is the only safe-guard of that liberty, which might be jeopardized if entrusted to aliens; let us place none in the false position of having hereafter to choose between treachery to the land of their birth or to the land of their adoption.

If we have escaped from the crisis which so lately threatened us, it is only after years of alarm, which, if it has not interrupted our commerce, has at least occasioned it to be pursued with anxiety; while fluctuations have been introduced into our moneyed securities, prejudicial to the fortunes of the mass, and favourable only to speculators. The whole discussion would have been wonderfully simplified if a formidable navy had lain ready in our harbours to give effect to that national manifesto, to which our unprepared condition imparted the air of an empty menace. Those who have been attentive to the French debates must have observed how our antagonist confided in our weakness and his own developed power; how he insisted on our unwillingness to incur the ruinous expenses of a war for the sake of obtaining a small sum of money; how he spurned the idea of our being actuated by a motive of national honour. In this respect the character of our country, estimated by opinion in our commercial cities, or by arguments nearer home, is little understood in France. France, in which the right to vote is conferred by property alone, which is governed by a constituency of the rich, might well shrink from the expenditure of a protracted war; but in America, where the sovereignty resides, not in a wealthy few collected in cities, not in a mercantile class, likely to be ruined irretrievably by the results of a conflict which might leave it stripped of its wealth, the case is widely different. To what extent would the mass of cultivators, scattered over our immense territory, be affected by a contest which would still leave them at liberty to cultivate the lands of which they are not tenants at will, but sturdy proprietors, and to live on in competency upon the fruits of their honest labour? As the government here resides in part in each individual, so each brings to a national quarrel the same sense of honour which would impel him to assert his dignity in his own. We think that no nation of the present day would be so likely, on this account, to stand upon the point of honour, and, if necessary, to go to war for its assertion, as the United States; and we think that it might save a great deal of after trouble to this and other nations, if the fact were as well understood abroad as it is at home. As for a war between this country and France, to say nothing of our infinite superiority in maritime strength, our government, firm in a system against which infernal machines are powerless, reposing as it does upon the broad basis of universal suffrage, would shake down with ease a tottering usurpation, perched on the unsubstantial foundation of a quarter of a million of stock-jobbing and office-seeking intriguers.

The war-cloud has, however, passed for a season from our horizon. Thanks to the manly energy of a chief magistrate,

who, on this subject at least, carried with him the almost unanimous adhesion of his countrymen, we have secured justice while we asserted our honour. If, however, the crisis is passed, its having existed is an evidence that others are to come. In this respect the history of all nations is the same; and our own annals, so eloquent of misfortunes, having their origin in our united exposure to plunder and culpable inability to protect ourselves from it, urges us to arm for our defence. Our government is justly liable to the charge of being inattentive to the most sacred of its duties, the protection of the lives and properties of the people who have constituted it for their safeguard. Economical of money, it is often prodigal of blood; not of the blood of its soldiers and seamen, but of the blood of its peaceful citizens, abandoned to the ruthless cruelty of a savage foe. Is it not enough to make the heart bleed to contemplate the condition of our countrymen in Florida; and yet their fate may to-morrow become that of our countrymen at any portion of our extended frontier! With an army of six thousand men to guard our coasts and protect our borders, economy looks with a jealous and sordid eye to almost the only useful and generous establishment which is permitted to exist. We have seen the ruinous consequences of that false economy which withheld the small expenditure necessary for the support of a navy in times past for the protection of our commerce; in our own day we may witness the destruction of millions which are as much national wealth as the paltry sums which, if applied in season from the treasury, would have spared so awful a calamity.

In view of these facts, with the errors of the past so glaringly before us, let congress not close its present session without providing for the complete protection of the lives and property of our citizens. Let it carry out the recommendations of the secretary of war for the defence of the country, contained in his eloquent and convincing document of the 7th April last, and it will provide a safeguard, suited alike to protect us from insult and aggression.

Let us then establish from this day, the broad, the safe, the economical, the honourable principle, that spoliations on our commerce and assaults on our national honour, shall be prevented at the time by a prompt display of protecting power. It is enough to have hitherto offered to the world the pitiful and unworthy spectacle of a strong nation, unarmed through a spirit of false economy, after tempting the strong-handed to spoliation, presenting ourselves as suppliants for justice at the feet of our assailant, and wearying him with oft-repeated petitions, until something remotely approaching redress has been obtained. Let us henceforth stand ready to protect ourselves

by cannon shot, from the stout sides of the *Pennsylvania*, the *Delaware*, the *Ohio*, and other noble and worthy representatives of the states, to whose names they will do no dishonour, instead of by paper bullets, discharged and returned again without other result than damage to our national character through long years of discussion. Instead of repeating the ludicrous spectacle of the tortoise taking refuge in his shell, let us hereafter present ourselves to contending nations in the noble and imposing attitude of some antique statue of Achilles, armed and defended at all points, with calm and serene demeanour, threatening nothing, dreading nothing : yet equal to either fortune.

In much that relates to the organisation of our navy, we cannot do better than follow the example of the great maritime country from which we derive our origin. Especially may we do so with advantage in whatever relates to the protection to be extended to commerce and those engaged in it. The moment that any part of the world becomes the scene of conflict, we find her cruisers repairing at once to protect the lives and properties of British subjects, and to interpose between them and danger, while engaged in building up the wealth of the nation with their own, the ample shield of British power. We are sorry to admit that, though our government springs directly from the people, and the sovereignty is only vested in it for the public good, our navy does not extend any commensurate protection to that commerce, by which, in common with the whole of our federal expenditure, it is solely supported. This is not owing to the want of corresponding zeal in our officers, but of an adequate force, stationed at every point where our interests may be assailed. To remedy this deficiency, congress should, before the end of its present session, make provision for the immediate equipment of a force sufficient to extend effectual protection to our commerce in every sea.

The amount of this force should be regulated by the extent and value of the trade to be protected, the relative proportion which the navies of other maritime countries bear to their commercial marine, and the necessity of keeping at all times a sufficient school for the instruction of our officers, and a supply large enough to be increased, within a year or two, to the full measure of our naval capacity. There are no fewer than seven maritime nations which maintain in commission a navy superior to our own. These are England, France, Russia, Turkey, Holland, Sweden, and Egypt ; possibly we might add to the list Muscat, of which we have only heard since yesterday, and whose sultan, on the recent occasion of the grounding of one of our public ships on his coast, magnanimously offered to send

one frigate to the United States with her commander and crew, and another with the diplomatic agent, whom the injured vessel had been conveying, to prosecute the object of his mission. Admitting that there was greatness of soul among us for such liberality, could we, on the spur of the moment, place at the disposal of the commander of the vessel of a friendly power, stranded on our coast, two frigates, in immediate readiness to be despatched to sea? Though there are, then, no fewer than seven nations numerically our superiors in naval force, as the two most powerful of them, namely, England and France, are alone in a condition to cope with us on the ocean in the event of a struggle, and alone in a position at all analogous to our own, we shall make them the basis of our estimate of the proper armament to be kept in commission by us in time of peace. Since we have been a nation, the only assaults upon our commerce, excepting the petty piracies of the Barbary corsairs, have come from the navies of those two nations, and from them alone are assaults likely to come hereafter. There is, therefore, a peculiar propriety in making the navies of England and France the basis of any estimates for our own.

The navy of England in commission during the past year, amounted to fourteen ships of the line, fifteen frigates, fifty-one sloops, twenty-five brigs and schooners, ten surveying vessels, and twenty-one armed steamers. If her naval power were stretched to the extent of its capacity, she could possibly have at sea, within two years, six times the force above enumerated. The navy of France in commission, is ten ships of the line, thirteen frigates, and eighty-eight smaller vessels, including twenty-three steamers. If armed to the extent of her capacity, she might probably send to sea, within two years, four times her present number, though by no means so well manned as that which is now in active employment. Our navy in commission will amount, with the appropriations for its increase, already voted by congress, to two ships of the line, seven frigates, fourteen sloops, and seven smaller vessels. This force might be extended, within a year, from vessels already built, as are all, and more than all, those belonging to France and England, contained in the previous estimates, to eleven ships of the line, eighteen frigates, fifteen sloops, and ten smaller vessels. What an enormous disparity does this statement show between our developed and available force and those of England and France! Is this disparity in harmony with an equal disparity existing between our relative amount of property exposed and needing protection on the high seas, and our intrinsic naval power? By no means! The property of England afloat may be estimated at from five to six hundred millions of dollars—that of France, in her own bottoms, at less than three hundred

millions—and that of the United States at more than four hundred millions.

The tonnage of England amounts to two million six hundred thousand tons; that of France, to four hundred and ninety-five thousand, coasters and fishermen included; and of the United States, to one million six hundred thousand tons. England has one hundred and sixty-five thousand seamen; France claims sixty-six thousand; and we have one hundred thousand.

Supposing the relative maritime strength to be in the ratio of the tonnage, our capacity to support a navy is to that of England in the ratio of three to five, while it exceeds that of France in the ratio of three to one. As for the materials which enter into the construction of ships, we possess these, within our own extended territory, superior in quality, and greater in abundance than any other power, whilst our builders are, by universal consent, admitted to be the most skilful in the world. If it be said that money is the sinews of war, and that, while England has a revenue of two hundred and sixty millions of dollars, and France of some two hundred and twenty millions, ours only amounts to the inferior sum of thirty millions, our answer becomes more triumphant than ever. The revenue of both those countries, and especially of England, is chiefly absorbed by the interest of debts incurred for past expenditures, and by the wasteful profusion of cumbersome and costly establishments, whilst every dollar of ours is available for the efficient service of the country. Whilst France is groaning under a weight of oppressive taxation, stretched to the uttermost, and England looking forward to impending bankruptcy, we, on the contrary, stand aghast at the unaccustomed spectacle of an overflowing treasury, for which we seek in vain some safe channel of escape. Turn it in every direction where it may promote the safety, honour, and welfare of the state, or the security of our citizens, on land or sea, engaged in their peaceful avocations! Grant to our planters and enterprising settlers upon our remote frontier efficient protection from the atrocities of slaves and savages, and follow the adventurous trader in his path of peril to every sea, with cruisers ready to spread over him the protecting flag of the republic!

If it were asked what should be the extent of our naval armament, we could not answer the question better than in the words of the secretary of war, in his recent admirable report on the defence of the country. So strongly was he impressed with the insufficiency of a mere army and fortifications to secure us from aggression, and with the necessity of providing the country with a formidable navy, without any reference to the protection of commerce, and solely with a view to defence, that

he tells the president—"It seems to me, therefore, that our first and best fortification is the navy. Nor do I see any limit to our naval preparations, except that imposed by a due regard to the public revenues from time to time, and by the probable condition of other maritime nations." The condition of our public revenues imposes at this time no limit to expenditure in naval preparations. As for the condition of other maritime nations, we have already seen how formidable is that of the two with which we have formerly been brought into warlike contact, and with which we are likely to be brought into contact in times to come. That our navy should at once be put on a footing as formidable as that of either of those powers we will not insist. They have interests connected with their foreign possessions, their vulnerability at points remote from their chief seat of power, their assumed maintenance of the balance of power, and ambitious interference with the internal affairs of other countries, with which we have nothing in common. Still the extent of their navies must ever be an important element in the graduation of ours. Though our future wars will be waged for defence and not for ambition, we must not the less be prepared to cope with the foe with whom conflicting interests may bring us into collision. We should be prepared to come out of the struggle triumphant, especially as, by being thus prepared, we can best hope to escape it altogether. We think, then, with a view to our resources and the existing armaments of other nations, that our naval preparations should be on a scale suited to qualify us, within five years, to put to sea with a fleet of forty ships of the line, and an equal number of frigates. One half of this force should be in a condition to sail within a year, and of the other half, one portion might remain constructed on the stocks, and the other in frames ready for setting up. As a nucleus to prepare officers, and to some extent crews, for these vessels, six ships of the line, with twice that number of frigates, and sloops and smaller vessels in proportion, should be kept perpetually in commission. This is the least force that could form a competent school for our navy, or extend to our commerce in every sea that ample protection which it demands, and secure it, in the earliest stages of hostilities in foreign waters, from those depredations which have been to us the fruitful cause of so many perplexities.

Of these ships, three of the line might be assigned to the Mediterranean station, two to the Pacific ocean, where we have interests of great value at stake, and one to the Brazilian station. The frigates and smaller vessels should be distributed between the stations above named, and the East and West India stations, where, for reasons principally connected with the climate, they may be more efficient and useful than large ships.

Our maintenance of a squadron in the Mediterranean had its origin in the provision of a defence for our commerce against the Barbary powers. Their piracies have been discontinued of late years, in consequence of chastisement received from ourselves and various other nations. The Mediterranean fleet has, however, still been continued, partly as a precautionary display of force, but chiefly as forming an admirable school for our officers. The languages of most use in the intercourse of the civilised world are spoken on its shores, and the means and incentive to acquire them are alike imparted to the officers of our ships which visit them. The shores of the Mediterranean, too, have been the scene of the most interesting events in the history of ancient times, and our young officers, while learning their profession in circumnavigating its entire extent, cannot fail to have their minds improved, and their genius fired, by visiting a thousand sites crowned by the pure monuments of a classic age and consecrated by undying associations.

There is, however, no good reason why our ships, having once got into the Mediterranean, should remain there like so many fixtures during three entire years; unless, indeed, the circumstance of its being the scene of hostilities, likely to interfere with our commerce or assail our neutral rights, should render the protecting presence of a fleet necessary. Perhaps there never was a corps which has been so completely the victim of inveterate and unmeaning routine as the American navy. Some four years ago, we had a fleet of half a dozen frigates and smaller vessels in the Mediterranean, at a time of undisturbed quiet, when a single sloop in the Archipelago would have effectually protected our interests there, while, at a distance of a few hundred miles without the Mediterranean, a civil war was raging on the coasts of a country with which we had an extensive trade, attended by blockades and a lawless strife, likely to affect the interests of unprotected neutrals. We allude to Portugal, and the contest between Don Pedro and Miguel. At that very moment, our diplomatic agent was negotiating a treaty for claims for spoliations on our commerce, committed under similar circumstances of protection withheld by our government at a former period of strife. The settlement of this treaty would have been greatly facilitated by the presence of a fleet in the Tagus or its vicinity, whilst it might also have served to prevent the occurrence of renewed aggressions. The fleet was, however, the Mediterranean fleet, and the commander had not the power to withdraw it. It has, however, from dread of a French coup-de-main, at length got out of the Mediterranean; the charm is, therefore, broken, the *ne plus ultra* of ancient navigators passed; and we hope that

our vessels may now freely repass the Pillars of Hercules, whenever occasion may call them.

We do not think indeed that our ships should be permanently attached throughout their entire cruise to any particular station. Why might not a ship starting for the Mediterranean for instance, touch at Portsmouth with a despatch bag, and after giving the officers an opportunity of seeing the dockyard there, pass on to Lisbon with a similar errand to our diplomatic agent, and touching at Cadiz and any other intermediate port usually frequented by our ships, report at length for service on the Mediterranean station? After having made the circuit of that sea, she might leave it again under orders to stop at certain ports on the coast of Africa, where we may have trade to protect, or interests connected with the suppression of the slave trade, and then report for service on the West India station, touching at all the intermediate islands on the way to Pensacola, and on the expiration of the cruise return home. In the same way, the vessels attached to the Brazilian, Pacific, and Indian stations, might, without departing from their direct route, cruise alternately on each, visiting all the coasts and islands frequented by our traders and whalers, and affording them efficient protection, or mechanical aid for their repair in remote and uncivilised seas. In this way we should not only have a force wherever we had commerce to be guarded, but our ships, for ever in motion, would be perpetually touching at every point at which a rapacious government might exist, and traversing every sea and channel, followed by our traders in their gainful avocations, where pirates might prowl for their interception and plunder. The value of this wide extension of our cruising grounds, our naval commanders will not fail to appreciate. We have our doubts whether one of our national vessels ever went into a port frequented by our traders without being able to render them essential services. Sometimes they require repairs either difficult or impossible to be procured, or only to be procured at extortionate charges; often they have a mast to be fished, sails to be made or repaired, or disorderly and mutinous crews to be exchanged for volunteers of good character. So on the high seas, by extensive cruising, our ships will have increased opportunities of succouring vessels in distress, and furnishing food and water to their famishing and panting crews. We might instance a recent, and, from the tragical circumstances connected with it, a notorious instance of the benefit resulting from the extension of our cruising field. The frigate *Potomac* happened to be at Lisbon when the brig *Falmouth* put in there in distress. Her captain had been compelled, in self-defence, as it has since appeared on trial, to kill one of his crew. The local authorities

were about to detain the vessel and to take cognizance of the alleged crime, when the commander of the *Potomac* promptly interposed, procured the reference of the matter to his jurisdiction, refitted and provisioned the vessel, arrested the accused captain together with all the witnesses and affidavits necessary to the trial, and placing him and his vessel under the charge of a government officer, ordered her to her port of destination in the United States. The vessel, laden with a very valuable cargo, whose detention at Lisbon would have been ruinous to the owners, arrived in due season, and the captain had the advantage of being tried by his own laws and a jury of his countrymen.

We are happy to find an opinion which we have long entertained as to the expediency of greatly extending the cruises of our ships, enforced by the high authority of the navy commissioners, who in their recent report to the secretary of the navy, of a plan for the increase of the force in commission, recommend the return of vessels on the Pacific station by the islands, the Indian seas, and the Cape of Good Hope; and that of those on the Indian station in the opposite direction, by the Pacific and Cape Horn. The adoption of this enlightened recommendation will greatly increase the protecting influence of our navy, extend the field of observation among our officers, and at the end of twenty years add almost every name on our navy register to the proud list of circumnavigators of the globe.

While the service would thus be lightened to our officers, and the irksomeness of a long period on one station relieved, the interests of the country as well as those of the navy would be greatly promoted by such an interchange. Owing to the stormy nature of the winter in the Mediterranean and the long prevalence of gales from a particular quarter, it is impossible to cruise there at that season without great and unnecessary wear and tear of both ships and crews. Though the profession of the seamen must be learned in storms as well as in calms, yet storms are always to be encountered without going in quest of them. Like war itself, they are to be expected and prepared for, but not sought after. On this account our squadron with the exception of a single ship in the Archipelago, should be withdrawn from the Mediterranean in winter, which is always passed there in idleness and sometimes in dissipation and discord in some snug port, and transferred to the temperate regions of the coast of Africa, Brazil, or the West Indies. The only inconvenience that can possibly result from this rapid interchange of ships would be the accession of new commanders unacquainted with our existing relations in the particular seas and the nature of the national interests requiring protection. This might in all cases be obviated by preserving the same

flag ship, or at all events the same admiral for the usual term on each station.

We speak of having admirals on each station as if our service recognised such a grade of officers. There is a bill before congress for the creation of admirals, and it must seem strange and unaccountable to any person of reflection that we should so long have possessed a navy without a grade so necessary, not as a stimulant and reward for faithful service, but as an all important element of discipline. We may possibly have discipline and subordination in single ships, but they cannot exist in fleets without admirals. Suppose the fact that there were no rank in the army above that of colonel, and that the gallant Scott, now commanding in Florida, only occupied that station in virtue of his being the oldest colonel in his army. Would he be so likely to receive from his brother colonels under him that deferential, unqualified, and unquestioning obedience, so necessary to the happy result of his expedition and the welfare of his country, as is now conceded no less to his exalted rank, than to his brilliant character and achievements? In his army, doubtless, as in every corps, are one or more flippant, conceited, insubordinate subalterns, having more confidence in their own abounding self-sufficiency, than in the experience and tried genius of their superior. Let us ask any reasoning individual whether such a subaltern would not be more likely to commit an act of insubordination, hurtful in its consequences, and contagious in its example, if the major general were plain Colonel-commanding Scott, with whom in the ordinary course of events he would one day be on a footing of equality, and in a condition to make a personal affair of that which had been, properly, an affair of discipline. Yet this is precisely the present predicament of the navy. The commodore has to command captains who, the moment he lays aside his brevet rank, are his equals, commanders who may become his equals after an interval of a year or two, and lieutenants and midshipmen who will also surely become his equals if he and they live long enough. This may seem an absurdity, but it is at the same time a fact. Turn to the navy register, and you will there find reposing side by side on the same list of captains, those who had reached that station in 1799 and those who did not attain the post of junior midshipman in the navy until ten years thereafter! With a succession of grades, such as exists in our army, and in the navy of every country except our own, this anomaly, not less pernicious to the navy than cruelly unjust to those who compose it, could never occur.

There is indeed a system of deathlike stagnation among the officers of our navy suited to smother hope, ambition, and every generous sentiment. The efficient command of a ship requires

both bodily and mental energy, matured by experience, but not subdued by those chill influences of declining age under which animation and enthusiasm wither away. Perry was but twenty-eight when he won the victory of Lake Erie. Our young officers, now filled with the life and spirit which would make command a pride and an absorbing feeling, are doomed to pass without assignable limit their best years in subordinate drudgery, reserving the era of command for that declining age, when the broken voice, the failing vision, the blanching hair, and the universal decay of the mental as of the physical faculties, announce a season more suited to repose, and counsel retirement to make their peace with God, and leave the scene of active service to the young and daring, doomed doubtless like themselves to pass their mature years in stations of inferiority.

The evils resulting to the service from this state of stagnation are sufficiently apparent. Not less so is the glaring injustice done to our officers. They have entered the service with certain expectations of honourable advancement, which have not been fulfilled. Inspired by the enthusiasm of youth and thoughtless of any sordid consideration, they made no bargain for promotion. They may not the less claim to have been deceived. It seems to us extraordinary that in a country offering such an unbounded field for industry and talent, our officers do not more frequently throw up their commissions in disgust and turn their attention to employments in which success would depend more on their own efforts than on a public sense of justice, not to mention the word generosity. Some timely relief should be offered to the officers who have so long pined in expectation of advancement; a relief which would to a certain extent be effected by the bill recently introduced into the senate by the chairman of the naval committee. The only objection to this bill that occurs to us is the too great number of grades which it contemplates between a midshipman and a lieutenant. Instead of passed midshipman, second master, master and second lieutenant, we think that passed midshipman and second lieutenant would be sufficient. There should be no grade in any corps without assignable duties, and there could not be found on shipboard appropriate duties for so many grades. Second lieutenant would be a more respectable rank in title and in dress than master and second master, for the distinguishing portion of the title would only appear in orders, or on the navy register. The officers of this rank would of course be in the gun-room, and could perform the duties of master, which are the most improving in the service, and in smaller vessels those of lieutenant. Nothing is more obviously proper than that there should be a difference of rank between the lieutenants of a line

of battle ship and those of a schooner, or between the commander of a schooner and his own lieutenants.

With reference to the future, the evils of slow promotion might be much abated by checking the entrance of midshipmen into the service. We think no person who has convenience for comparing the relative position in their advanced years of naval officers and the companions of their youth who have entered life with them, will be disposed to say that there is any hardship in resisting the youthful whim which impels them to enter the service. In almost every case it would be a kindness to the poorest boy in the country, instead of authorising him to mount the "eagle button," to advise him to shoulder his axe and wend his way to the far west, there to hew out a fortune which will leave him without any thing to ask or desire from the state. In a country where each citizen usefully employed is of value, the population should not be diverted from productive pursuits, save for purposes of real utility. The state should not take for its service a single individual whom it does not need; those whom it does take should be protected and cherished.

We think that an easy check might be given to the too abundant introduction of midshipmen into the navy by the creation of a naval academy, at which appointed midshipmen should present themselves as the cadets do at the military academy, and furnish similar evidence of character and capacity for the service. The age for admission should be the earliest at which a child may be separated from parental care, say thirteen years. Supposing the previous education to have been attended to, and this should be a requisite for admission, three years would suffice to lay the foundation of a professional education. We think one of the islands in the harbour of New York would furnish the best possible site for such an institution, presenting as it would perpetually a moving marine panorama, in which ships might be seen performing every possible evolution, the subject of present studies and future practice. As however the military academy lies within the boundary of the same state, the principle of just repartition might be shocked by the selection of the fittest place. On this account, Craney Island, near Norfolk, would be a less debateable selection. The situation is healthful, and otherwise eligible. It is unnecessary to point out the studies that should occupy the youths; as for their exercises, they should all be professional. One of the most beautiful of our schooners, the *Grampus* for instance, should be selected to fix the pride and attachment of the youths. She should be rigged into a ship, and moored off the island, so that the young men might be daily employed on board of her, sometimes in stripping or rigging, furling and reefing, bending and unbending

sails, exercising the guns, and performing in general every duty which belongs to the profession of the sea, and seeking relaxation from daily studies on shore by daily exercises afloat. Occasionally the miniature ship might weigh her anchor, and in sailing about the bay and harbour furnish at the same time to her aspiring crew instruction, amusement, and relaxation, while in summer, the allotted season of vacation might be passed in an extended cruise along our coast. Every thing done on board of such a vessel, which would of course be ably commanded, would be done in the best manner; the youths would have before them an epitome of their profession, and would be perpetually engaged in the actual execution of its details. Nothing would be left to chance, and there would be no choice but between becoming a sailor or being dismissed. If this system be introduced into our navy, it will furnish a groundwork of professional education to our future officers of a value which cannot be exaggerated. The first examination for admission would reject many applicants, and the subsequent years of probation would winnow away all the chaff, all the incorrigibly stupid, all the vicious, all the insubordinate. They might, without loss of time, turn their attention to any thing else for which they might be fit, without cumbering the navy as they now do with unsuitable materials, which are only gotten rid of after much trouble, disorder and a court martial. As for the chosen few who should pass the ordeal creditably, they would be to the navy a real gain; useful on board ship, through their own services, they would also be useful in stimulating the emulation of their superiors.

And here it might have been proper to advert to what may be done in the navy towards the formation of seamen for its present and future service, had not the subject been quite recently exhausted in an admirable article on manning the navy, in the March number of the *Naval Magazine*. The only objection that we might be disposed to offer to its sound and most ingenious suggestions, is a very trifling one. It refers simply to the proposition to teach recruits certain duties on shore; such, for instance, as furling and reefing upon a yard rigged upon land. The convenience of having the recruit low down, and near the person engaged in teaching him, can be perfectly well obtained on board ship by having a top-gallant yard temporarily rigged quite low down on the mizen mast, as is sometimes done in foreign services where the difficulty in procuring seamen ready-made sharpens the ingenuity of officers in the task of educating them. Every thing connected with the formation of recruits should be done afloat, in order that the various parts of their education, the management of their hammock, the art of living on shipboard, the exercise of the guns, and

whatever belongs to the duties of a seaman, might be acquired together. There is indeed no reason why all these things should not be taught in cruising ships; but it is a fact that they are not. Whilst the navy might become the best school in the country for the creation of seamen, it is a fact that very few are formed in it. A youth of more than usual ambition and activity sometimes makes favour with the first lieutenant to be put into a top, and becomes in time an admirable man-of-war seaman. Even then, however, he is unfit to take his place in a merchant ship, from his ignorance of steering and the use of the lead. As for the less fortunate mass of landsmen, they are usually kept busy with swabs and brooms in the more menial duties of the ship, until at the end of a cruise health and heart alike fail them. The menial offices of a ship should not be assigned as a punishment to any particular portion of the crew; they should be divided among the whole crew, by which means they would both cease to be degrading and be better performed. Least of all should they be assigned to the landsmen, who, from being young and native Americans, should receive in an especial manner the fostering care of the commander. They should be taught in detail under the direction of the petty officers every branch of their profession, and in process of time the navy might furnish skilful seamen to the merchant service instead of being, as it now is, a drain upon it. There would thus also be created a class essentially belonging to the navy, familiar with its ships and officers, and having its interests warmly at heart. We agree with the writer in the *Naval Magazine*, that foreigners should be excluded from the service. The process of excluding them is a very simple one. It is not by the evidence of witnesses or the possession of a regularly signed and sealed protection, that they should be received as Americans; but condemned or accepted out of their own mouths. Any officer of experience sufficient to be employed in recruiting, can tell by the evidence of his eyes and ears, in a conversation of five minutes, whether or not the applicant be an American. An American protection, like American naturalization, in many cases, is a thing calculated to excite the scorn of every man of honour. Were our navy manned entirely by native Americans, and among seamen of this class it is not now popular, in consequence of the introduction of a system which has grown out of the admission of foreigners, disorders would be diminished, discipline be rendered, at the same time, better and milder, and our men-of-war become models of good order. The attention which they so justly merit, should be given to the suggestions contained in the able paper to which we have alluded, coming, as it is said, from the chiefest of our novelists, the creator of the romance of the sea; he who first lured the melancholy muse—

if muse she may be christened—from the tangled woodland dells and haunted towers about which she loved to linger, to wander forth with him upon the deep, and find, in man's conflict with the elements and his fellow-men upon its treacherous bosom, theme for creations of surpassing power.

Hitherto, our remarks have been confined to the necessity of a navy, and the extent that should be given to it; no apology need be offered for extending them to a subject of so much importance as the construction of our ships. Naval architecture, as a science, was brought very near perfection in the dock-yards of France and Spain, during the last century, by a skilful combination of experiment with mathematical calculation. Our earliest builders took up the art where they found it, and modifying it upon principles derived exclusively from experiment, and the intuitive inspirations suggested by a practised eye, brought it at once to perfection. This is saying a great deal; but the evidence upon which the assertion is made is founded upon existing facts. By general admission, the finest ship in our navy is the frigate *United States*. She was built forty years ago, and the interval has been passed in attempting various experiments and fancied improvements, which have produced nothing comparable to her. The *President*, which was said to be superior to her, was of nearly cotemporary construction, and only serves to fortify the position. Navy contractors might draft, and navy officers modify, from this time to the close of our national career, without producing any thing superior to this noble ship; nor can they hope to equal, except by imitating her. She sails better than any other ship in the navy; steers with one man at the helm, when the new frigates require four; berths her officers and crew most commodiously; carries nearly twice as much provisions and water as they do, being precisely in the ratio of eight months to five; and, consequently, would be able to remain so much longer at sea in time of war, without communicating with the shore; and under the given circumstances of a voyage protracted, by being dismasted, or by other disasters, beyond the expected period of arrival, the crew of the *United States* would continue to revel in unstinted abundance, long after that of the *Brandywine* would have set about the unpalatable operation of eating each other. Let us, then, assume the fact that naval architecture attained perfection at the very birth of our navy. We speak, of course, of vessels propelled by sails. Behind this assumption we will entrench ourselves, and from it we will not retreat until a better ship can be produced than the frigate *United States*. Let this ship be adopted as embodying our creed of naval architecture, and let all our frigates be identical with her in construction. Let us permit the introduction

of no crude novelties into our naval architecture, no cruisers, incapable of overtaking even a molasses droger, no sea monsters, suited only to terrify, like some horrid abortion, by the spectacle of deformity. To individualise our ideas, let us have no *Natchez*, and no *Experiments*; one of each would be enough, though, unhappily, we have several of the former.* The present experience of the British navy should protect us against the error of permitting our naval architecture to be modified by seamen. The construction of the British navy is now under the guidance of an individual, whose qualifications for the office are his having been for some years captain of the port at Malta, and having availed himself of the station to study the models of certain Greek and Sicilian small craft which frequented that harbour. These models he imitated on the spot with success, in constructing boats which performed creditably; and returning home in due season, he superintended the building of some yachts and small cruisers, which were found to sail swiftly beside the vessels of a country in which little has been done for ship-building. This was considered a sufficient test of his qualifications for superintending the naval architecture of England; frigates have been constructed on this extraordinary model, and ships of the line are now in process of being built, which, we venture to pronounce in advance, will prove crazy and unmanageable, and possibly fatal to those who sail in them. Let us, then, with characteristic caution, keep to the safe counsels of past experience. Ship building is one profession, and seamanship another; it is the business of the builder to model and construct the ship, and that of the seaman to sail her when she is afloat. This is a task requiring skill, judgment, and energy, and is in itself sufficient to employ and to

* The *Experiment* was built after the plans of a potter, who has now returned to the business, for which he is so much better fitted, of baking stone jugs on the shores of the Hudson. The sloops of war which have turned out so badly, were drafted by a former chief naval constructor, still in the employment of the service, though it is to be hoped he will not again be permitted to draft ships. Some of the constructors employed to build these ships pronounced them, in anticipation, bad in every respect, on the exhibition of the models. The frames were however already cut to certain moulds, and the ships could be but very slightly altered in construction. By cutting them off near the stern and lengthening them, they might still be made good ships. The opinion we have submitted about the old and new frigates may, after all, be received with some reservation. The small stowage of the new frigates is said to be chiefly owing to the great room between decks, and not to inferior capacity. The new frigates certainly sail well. Perhaps perfection may lie somewhere between the new and old construction. It is worth seeking after and finding. Our ships should sail together until one had won the palm, and she should become the model for all future constructions.

stretch the mental resources of any individual. To carry a ship expeditiously yet safely to the place of her destination, to meet and overcome the storms and countless perils of the deep, to keep her under snug sail when judgment shows it to be necessary, and expand the canvass again to the breeze the moment the emergency is over, to be bold without rashness, and cautious without timidity, are surely qualities to acquire which, in perfection, needs no divided attention. And when the commander has reached a foreign port, and becomes, at the same time, the depository of the dignity and power of his country in the presence of strangers, and finds himself called on to correspond with foreigners on subjects of high policy, involving the interests and honour of his country, and to act in their defence, surely these superadded vocations call for a preparation sufficiently absorbing. This subject, then, should be abandoned to the sole and uninfluenced guidance of professional architects. The best perhaps in the country, has been permitted to carry his talents to other lands where, after implanting the true rudiments of his profession, and leaving models which will be sure to fix them there, he has died in the service of a country which may one day become our enemy. He has however left behind him one monument of his genius ; a ship of the line built after his own unaltered models. This ship is the *Ohio*. Why has she never been fitted for sea to test her relative qualities compared with our other ships ? Why has this ship, supposed to possess rare excellence, been the only ship of the line afloat which has never been put in commission ? We have still, however, excellent naval architects in the country, as good as are any where to be found, and some of the best of them, such, for instance, as the chief naval constructor, are employed for our navy. Let them henceforth plan, decide and build by their own unaided lights, and unite in their own persons the power and responsibility which properly belong to them.

The remarks which we have here ventured to offer on the subject of our naval architecture, under the influence of earnest and honest conviction, have been suggested by a comparison of the ships built at the close of the last century, and revered as patriarchal in the navy, with those of more modern construction. It would seem then, if we have wandered out of our path in search of perfection, it only remains for us to go back to find it again. Every art must reach perfection at some time, and why not ship-building ? We know that statuary attained it under Phidias in ancient times, and painting under Raphael nearer our own. We know also that what cannot be equalled may yet be copied. Let us apply this system to the United States frigate, and assuming that she is perfect until something is shown to be superior, make her a model for our

frigates, from which we will not again lightly depart. Her form is not of course applicable to ships of the line without considerable modification. But models for our other ships may be got, by taking the best that we have for every other class. Of the qualities of the *Ohio* we know nothing beyond the great acknowledged genius of her constructor. The *Franklin* has proved herself a noble ship, and possessing every quality desirable in a ship of the line; this ship, enlarged to the size of the *Delaware*, so as to mount ninety or a hundred guns, might be made the standard for her class. The model of the sloop of war might be taken from the *Vincennes*, which is found to possess every good quality that can be desired in a ship; sailing and steering well, making good weather, berthing her crew commodiously, and having great capacity for stowing provisions and water. The *Concord* is another ship possessing in a high degree all these essential qualities; the two might be tested together, and the one which should be decided to be superior, be afterwards adopted as the model for every future vessel of this class. We would not, however, be understood to advocate a rigorous exclusion of all experiment from the service; experiment might occasionally be attempted by way of exception; but the classes of vessels being once established, should only be modified on the most irresistible evidence. With reference to the lowest grade of vessels, the schooner *Grampus*, or the *Spark*, so celebrated in former times in the service for her admirable swiftness, might be adopted as the model. We think, however, that these vessels should be rigged as brigs instead of schooners. The schooner is a very peculiar and delicate class of vessel, the skilful management of which requires a distinct and separate education. The *Baltimore* privateers taken and fitted out by British cruisers during the late war, were wholly unmanageable in the hands of their captors. Seamanship in a brig is the same as in a ship, but in a schooner there is a great difference; hence the knowledge acquired by young officers in this class of vessels is but slightly applicable to the general service. A schooner is moreover, a rakish, vagabond description of craft, in which the discipline is apt to become bad. This class of vessel is also, perhaps, more easily disabled in an action; a shot which would cut away the gaff or main boom of a schooner, or a mere musket ball stranding the peak halyards, might for a time render her unmanageable, and thus decide the action against her, whereas a brig, having a greater number of sails in smaller surfaces, would be less affected by an accident to any one of them. The schooner has an advantage in beating to windward, but with a free wind, (and the wind is necessarily more than half the time free at sea) the brig has the advantage,

being enabled by it, under ordinary circumstances, always to make a passage more quickly.

It remains to notice a new class of vessels destined to constitute an important agent in naval warfare. These are vessels propelled by steam. As defensive agents for the protection of coasts, their uses are too obvious to be here insisted on. In fleets their co-operation will become equally effective. Suppose the very possible contingency of two hostile fleets meeting in calm or light weather ; one of ten ships of the line, unattended by steamers, the other of only six, but attended by two of these auxiliaries. By employing the steamers to tow the ships of the lesser fleet to the extremity of the adversary's line, and changing their positions from time to time, when necessary, the superior fleet might be overcome in detail and compelled to strike to a force greatly its inferior. The steamers may also be of the greatest use in towing the disabled ships, which might else be forced to strike, to a position of security to windward, where they might repair damages, and prepare to take part anew in the contest. This class of vessels may also, by choosing their position and by the heavy nature of their armament, deal some desperate blows themselves when unemployed in bringing up or succouring the sailing ships.

Reasons enough are here adduced to show the great utility of steamers as auxiliaries of fleets ; we will therefore only submit such ideas as occur to us on their proper construction. Sailing vessels in order not to drift when on a wind are deeply immersed in water, rising and falling with the heavier seas, and but slightly affected by the quicker and more irregular agitation of the surface. In steamers, this great hold of the water would impede the velocity, and at the same time destroy or render useless their paddle wheels by plunging them violently in the water one moment, to withdraw them entirely in the next. A steamer therefore must be full and flat amidships, to rest upon the surface instead of being deeply immersed, and be maintained as nearly as possible on an even keel so as to give the fullest effect to both paddle wheels. As a sea-going steamer could scarcely have capacity to carry fuel to cross the ocean, she should be provided with sails, to use when favourable the convenient agent provided by nature in the wind. Their masts should, however, be light, with large gaff sails, the topmasts and yards being convenient for striking when steaming to windward. In the steamer now in process of construction at New York, it does not strike us that a proper adaptation is kept up for service at sea, which is by no means incompatible with every provision for efficiency in the defence of the coast. Even the defence of the coast, if the same vessel is to be employed in defending more than one point, requires perpetual

contact with the sea. This vessel is constructed very sharp, without fullness or bearing at the extremities, to keep her from pitching into the sea, and with a rudder at each end, so as to go in either direction. The only advantage discernable in this arrangement is its enabling her to retire from an attack without turning so as to expose her broadside to her antagonist. This advantage seems a speculative one, inasmuch as with only the usual rudder she might back sufficiently far astern, before turning to escape, to be beyond reach of serious injury. The objections to this plan strike us as more than outweighing this single advantage. In the first place, as the bow of the vessel should be of one form and the stern of another, there is necessarily a loss of velocity in making both alike. The difficulty of securing the foremost rudder of so large a vessel in going ahead strikes us as very serious. It is proposed to unship it and bring it on deck, but this will require cumbersome apparatus, at the very place, too, where the bow gun, the great offensive agent of the vessel, is to be placed. The British and French have been constructing sea-going steamers of war for some years; we think that reference should have been had to their experiments, making due allowance for their backwardness in the application of this new agent; our Charleston packets also might have furnished us with a useful basis of construction. If entire novelty were to be attempted, we think the government could not have done better than to entrust the task of furnishing a model which is to serve hereafter for a class, to the distinguished engineer* to whom we are indebted for almost all the improvements that have occurred in steam navigation during a succession of years, and who is understood to have turned his attention to this subject while the probability of a war with France existed. With the best talents in the country, or in the world, at the command of the government, it is a pity that an experiment which is to involve such an enormous immediate expenditure should have been entrusted to any but the ablest hands. As it is, we await the result of this experiment with some anxiety.†

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† In time of peace these steamers might cruise along the coast, and thus furnish much useful information to their officers. This might also throw them in the way of assisting vessels in distress. A powerful steamer, moored near the entrance to our principal harbours, on being notified by signals that a vessel had grounded on the coast, might repair at once to her assistance, and, in almost every case where the stranded vessel had not bilged, drag her forcibly afloat. These vessels would be very useful in aid of the preventive service, which should be made a part of the navy. When there is so great a demand for useful employment for our officers, such an extensive school as the revenue service should not be separated from it. Naval officers have occasionally commanded these

Having thus adverted to the various classes of vessels which it seems to us expedient to adopt, we would suggest that it is quite time for so enlightened a country to give up its present absurd and fallacious mode of rating its ships. Every vessel in the service should in all cases be rated by the number of its guns. It is very common to see an English fifty-two and an American forty-four arriving in the same port, and announced in the newspapers by their respective rates, when, on comparing them, the ship which appears so much the smallest on paper, proves to be greatly the largest in reality. This is unworthy of such a truth-telling, matter-of-fact people as we are; it is delusive and false, and yet no one is deceived. It is a practical lie, of which we stand convicted out of the mouths of our own protruding cannon. As for the classification of our ships, when it has once been determined on they should all be identically alike. Instead of the spars, rigging, sails, boats, tanks, anchors, and other equipments being made for each vessel, they should be made for the classes. This would save a great expense, as those equipments, being quickly made, need not be accumulated for every separate ship in the service. In fleets, the uniformity would confer a great advantage, by allowing the ships to aid in refitting each other when disabled. Rigorous rules should be established and enforced against alterations of any sort through the caprice of a commander. Ships have sometimes been turned into barques, by which they have been injured and disfigured, and the government put to useless and worse than useless expense. The apartments of the officers have been altered and extended so as to encroach upon the allotted berths of the seamen, and poop-cabins constructed in a manner calculated to injure the efficiency of ships, with the chance of weakening them by the addition of a weight at the extremity which they were never calculated to sustain. The authority of a commander should not even extend to the alteration of the paint of his ship. One may have a taste for white paint and his successor may prefer green, which may be scraped out again on the accession of a new commander. There should be only two colours permitted in the service, white and black, and provision should be made of a fixed portion to last a given time. As our navy increases, the importance of order and

vessels, and not to the satisfaction of the secretary of the treasury under whose orders they were placed. The difficulty has been, that they were only amenable to their chief as commanders in the revenue service, and not as officers in the navy. They should be made complete men of war; the harlequin flag that they now wear, being exchanged for the regular colours of the service. Place our revenue service on the same footing as in England, and there is no reason why it should not be found as efficacious. The service there performed by it is far more arduous.

economy must be felt and attended to. These matters, with all others, however trivial they may seem, should be provided for by a code of regulations prepared by the oldest and most experienced officers. Thus, general laws would replace the fluctuating orders of each new commander. These laws, applicable to all cases, should be rigorously enforced. There is a sufficiently prevailing opinion in the country, that the navy is one vast arena of tyranny and oppression. No opinion is more unfounded. Instances indeed there have been of tyranny, originating in insubordination and producing insubordination in turn; for they are evils which mutually beget each other. The great evil is the want of regular and systematic discipline; an evil which bears even more hardly upon those in subordinate stations, than on the more elevated in rank. If a well disciplined ship be a beautiful spectacle of order and harmony, an ill-disciplined one is, on the contrary, a perfect floating pandemonium. All should know their rights as well as their duties; the first should be secured, the last rigidly enforced. There is perhaps no circumstance that would be more conducive to discipline in frigates and larger ships than that the executive officers should be of higher rank than the officers acting under them. Instead of a first lieutenant of the same rank with the rest, there should be a master commandant to fill this important station. The position of such an officer is more imposing, more conducive to discipline, and consequently to the comfort of all on board. The obedience yielded to him would be more unhesitating; the preservation of order among his messmates, at present a task both difficult and unpleasant, from the sense of equality with which all are inspired, though of the last necessity, would be rendered easy. Such an officer, moreover, being of a higher rank, would be more disposed to side with and sustain the commander in his solitary struggle for dominion over the whole ship's company. In the British navy this system has been tested with the best effects, proving of great advantage to discipline, while it serves at the same time to furnish employment and valuable experience to a large number of additional commanders. In sloops of war the same advantage would be obtained by having two grades of lieutenants.

Among the lesser accessories that may be made conducive to the maintenance of discipline, uniformity of dress is of no little importance. Every thing, even to the lining of the sailors' collars, should be accurately defined, and the officers should always conform, at sea and in port, to the summer or winter dress in which the seamen may be ordered to appear. The present regulations of naval dress seem designed rather to prevent than to promote uniformity; an officer may now wear a stand-

ing collared coat, a straight collared coat, or a round jacket, a blue, white, or a silk waistcoat, a round hat, a cocked hat, or a cap, and trousers of grey, blue or white, according to his fancy; in short, the list of that which he may wear is so various, that it is harder to decide what he may not wear. This matter should be simplified and reduced to the narrowest limits; there should be but one coat and one hat for every grade of officer, and a frock or round jacket, with a cap, for undress, in which no one would think of appearing at a ball or dinner. There would then be none of the ridiculous incongruity which is now so obvious to every one, and a congregation of navy officers would no longer look so like a meeting of train bands.

Men-of-war are at any time liable to an accidental conflict, and hence there should be no difference of discipline between peace and war. To prevent the ill effects of neglect of duty on the part of an individual commander, the regulations of the service should direct how often the guns should be exercised each week before going to sea, how often, during the first six months of the cruise, and provide in like manner for the remainder of it; requiring that each exercise should be duly noted in the log-book, or the circumstance of bad weather or indispensable duty which prevented the fulfilment of the regulations. The orders used in exercise should be uniform in the service, as well as the mode of drilling the men for boarding and repelling boarders. All pikes, cutlasses, and weapons of every description, should be uniform in every ship, instead of being as various in the different ships, and even in the same, as the knives and forks in so many separate families. It should be the stated duty of the commander not only to see the crew properly mustered and exercised in their respective stations, at all the evolutions in use at sea, but also to cause the green hands to be instructed systematically in the higher duties not embraced by their particular stations. Occasionally, in reefing topsails in fine weather, the topmen should be kept on deck and the rest of the crew sent on the yards to perform their duty. Such a course, systematically pursued, would render a whole crew effective, increasing at all times the pride, ambition, and available force of a crew, and, in the event of a diminution of its numbers from battle, disease, or manning prizes, confer advantages of the last importance.

Although the exercise of the crew at quarters has been generally attended to in our ships, yet naval gunnery has been almost entirely neglected in them. Provision should be made by law for a certain annual number of exercises in firing at a target. As for the expense which this would occasion it might in part be saved by the rigorous interdiction of all unauthorised salutes, and by an invariable adherence to the rules of the ser-

vice in the number of guns to be fired on any given occasion. So much attention has been given to naval gunnery in the British service since the war with this country, that they have a school of practice in this science on one of their stations, held on board of Nelson's old ship, the *Excellent*. In our conflict with England our victories were chiefly owing to superior quickness and precision in the fire of our great guns. The chances were against us, and we strained every nerve to meet a formidable and hitherto victorious foe. England, on the contrary, accustomed to triumph over every enemy, despised us in common with the easily beaten French, and reposed in the pride of her invincibility. We taught her a severe lesson which has not been lost upon her, but which we ourselves have forgotten. There is no intrinsic reason why we should beat Englishmen; our ships are perhaps stronger and better sailers; but their officers and seamen are quite as good as ours, and their preparation is perhaps at this moment more matured. With the French the case is different in some respects, though the same in others. Our merchant service is a vast nursery for seamen, in numbers inferior only to that of England, in excellence inferior to none; we have, moreover, a natural and hereditary adaptation to the sea. The navy of France, to the extent in which it exists, is the offspring of artificial causes: it is an exotic plant, quickened, however, by a nurturing and fostering care, into something of life and energy. From the number and activity of her commissioned cruisers, the experience of her officers is, however, little if at all inferior to that of our own. The greatest attention is given to every practical detail, and the aid of science is called in to improve and perfect the whole. A new and destructive arm, invented among ourselves at the close of our struggle with England by the distinguished engineer to whom we have heretofore alluded, has been quite recently introduced into all her ships in readiness to be turned against us, under the formidable name of shot *à-la-Paixhans*. As on the one hand there is nothing so unteachable as self-sufficiency and over confidence; so on the other the doubts which diffidence inspires tend to promote improvement. Ours is an accidental perfection, if it be perfection at all; a confidence inspired rather by the past achievements of our navy than by any thing in its present condition. It is high time to move in this matter; to introduce into the service a systematic arrangement administered with sternness and energy. We should try to get back to that iron age of our navy which led the way to such brilliant successes. Subordination, assisted by the creation of higher grades, should extend throughout the whole corps. Equality, or republican forms, cannot exist in a navy. There must be an arbitrary rule fixed, not upon individual caprice, but upon the despotism of the

law, which all may understand, but which all must obey. If the discipline be defective, it is partly owing to the absence of higher grades, partly to the insufficiency of our force in commission to keep up a proper school, and employ the whole corps even half the time in activity. Not one fifth part of the officers in the service have ever cruised in ships of the line, the class which would be our main defence in the event of war, and which require in some respects a management peculiar to themselves. Discipline cannot be efficient until the punishment of delinquency shall be in all cases inevitable, freed from the prospect of evasion and restoration to rank through the interference of influential friends. There should be an organic law in the navy, excluding from future return to office any person who had once been dismissed. This would maintain discipline, while it would save time to the delinquent and relieve the government from unpleasant importunity. Cases of individual hardship might occur, but the interests of the service, which are paramount to those of individuals, would be promoted. To the meritorious and faithful officer should be held up the prospect of preferment and the attainment of command ere the age of moral and physical maturity should be past for ever. In all cases where officers are ordered to ships, they should be discouraged in attempts at evasion. Nor should they afterwards be transferred, to please themselves or their commanders, to other ships. Gratification in this respect begets a restless disposition; and creates, on the part of the seamen, a feeling of abandonment, and a desire also for change. No changes, therefore, should take place in the officers of ships when once sent to sea, but such as are occasioned by deaths or casualties; and sick-certificates for returning home should only be awarded under circumstances of rigorous necessity, similar to those which would lead to the drafting of a sailor as an invalid.

The force which we have already named as sufficient to furnish a school of practice, and for the present protection of our extended commerce, is the very least that would serve that purpose in a time of profound peace; not of peace between this and other countries, but between other countries and each other. France and England have already carried their force in commission beyond that which we have given as its extent during the past year, and are each day increasing it by new armaments. We have already adduced reasons sufficiently cogent why our armament should always bear a certain relation to the strength of theirs. If war should break out between these two powers on the one hand and Russia on the other, we should immediately despatch at least six ships of the line and twice that number of frigates to cruise in a phalanx near the scene of conflict, under an officer of high rank and no less elevated character; a

commander not casually chosen because it was his turn to go to sea, whose manners and character might inspire a disgust inconsistent with discipline, and whose past history might entail degradation upon all placed in subjection to him ; but rather a commander chosen for the occasion from among the honoured names that figure on our navy list, names ennobled by services to their country when it was the season to render them, equal to past emergencies and equal to any which may arrive. Such a fleet under such a commander would inspire belligerents with a respect salutary both to them and to ourselves. If its errand were asked of its admiral, or through diplomatists, the answer would be a very simple one : to protect the lives and property of our citizens, and to guarantee our neutrality.

We have seen what was the eloquent admonition of the secretary of the navy in 1798, and we have seen how that admonition was neglected ; we have seen that it was then announced that “ twelve ships of seventy-four guns, as many frigates, and twenty or thirty smaller vessels, would probably be found, our geographical position and our means of annoying the trade of the maritime powers considered, a force sufficient to ensure our future peace with the nations of Europe,” and we have seen too the government of that day shrinking from motives of economy from the inconsiderable expense, which would have spared us a subsequent loss of not less than five hundred millions of dollars, including spoliations, wars, suspended commerce, and diverted enterprise ; to say nothing of population and prosperity arrested, by the extinction of such enormous capitals, nor of such wide-spread ruin and private misery. From the last troubles entailed upon us by that disastrous neglect of past admonitions, we have just precariously escaped when on the verge of renewed hostilities. The moment is a favourable one for starting on a newer, a safer, and a more honourable career. If past warnings have been neglected, with fatal consequences, let us profit by the lesson to listen to those which are now offered to us. These are not wanting. The president in a recent message has told the representatives of the people, with no less truth than soberness : “ I submit it then to you, whether the first duty we owe to the people who have confided to us their power, is not to place our country in such an attitude as always to be so amply supplied with the means of defence as to afford no inducement to other nations to presume upon our forbearance, or to expect important advantages from a sudden assault, either upon our commerce, our sea-coast, or our interior frontier. In case of the commencement of hostilities during the recess of congress, the time inevitably elapsing before that body could be called together, even under the most favourable circumstances, would be pregnant with danger, and, if we

escaped without signal disaster or national dishonour, the hazard of both unnecessarily incurred could not fail to excite a feeling of deep reproach. I earnestly recommend to you, therefore, to make such provisions, that in no future time shall we be found without ample means to repel aggression, even although it may come upon us without a note of warning. In behalf of these suggestions I cannot forbear repeating the wise precepts of one whose counsels should not be forgotten: 'The United States ought not to indulge a persuasion, that, contrary to the order of human events, they will for ever keep at a distance those painful appeals to arms, with which the history of every nation abounds. There is a rank due to the United States among nations, which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be ready to repel it. If we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.' "

In the course of this year in which we write, there will be exposed on the ocean, to the cupidity of armed nations, including ships, freights, exports, imports, and fisheries, American property to the enormous amount of four hundred millions of dollars. Eight millions of dollars taken annually from the sums accruing from taxes on this very property, and expended in the maintenance of a sufficient navy, will afford it the most ample protection. We have seen a half million of dollars spent quite recently, without any remorse, in president-making speeches of four days' length, the subject of which was a navy appropriation of sixty-seven thousand dollars: meantime the people are unanimous in wishing a formidable navy; let their representatives leave to them therefore their proper task, and respond unhesitatingly to their wishes. We have the authority of our present able secretary of war for the assurance that "Our great battle upon the ocean is yet to be fought, and we shall gain nothing by shutting our eyes to the nature of the struggle." It is for congress to decide whether we shall go into it with or without preparation.



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